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Miss Mary Daly

STATE DEPARTMENT INFORMATION PROGRAM—
INFORMATION CENTERS

HEARING

BEFORE THE

PERMANENT SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE

83D CONGRESS

1ST SESSION

PURSUANT TO

S. Res. 40

A RESOLUTION AUTHORIZING THE COMMITTEE ON
GOVERNMENT OPERATIONS TO EMPLOY TEMPORARY
ADDITIONAL PERSONNEL AND INCREASING THE LIMIT
OF EXPENDITURES

MARCH 24, 25, AND 26, 1953

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STATE DEPARTMENT INFORMATION PROGRAM— INFORMATION CENTERS

TUESDAY, MARCH 24, 1953

UNITED STATES SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:30 a. m., in room 357 of the Senate Office Building, Senator Joseph R. McCarthy (chairman) presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator Everett E. Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator John L. McClellan, Democrat, Arkansas.

Present also: Roy Cohn, chief counsel; Donald Surine, assistant counsel; Daniel G. Buckley, assistant counsel; David Schine, chief consultant.

The CHAIRMAN. The hearing will come to order.

Mr. Cohn, did you have something you wanted to put in the record before we start?

Mr. COHN. I did, Mr. Chairman.

At your request, we contacted the Department of State in connection with our investigation of the information centers, a part of the information program of the Department of State, and asked them what their objective was in establishing these some 150 information centers throughout the world. They sent us a very brief letter defining that objective. I would like to read that for the record, if I may:

DEPARTMENT OF STATE.

MY DEAR SENATOR MCCARTHY: In response to Mr. Schine's request of today to state in a simple sentence the purpose of the overseas library program, perhaps the following will suit the committee's needs:

The overseas library program exists to reflect American objectives, values, the nature of American institutions and life, and to utilize the book and related materials to advance the ideas of America in the struggles against communism.

Sincerely yours,

RICHARD HUMPHREY,
*Acting Director, Information Center Service,
Department of State.*

The CHAIRMAN. Mr. Cohn, have you determined how many libraries we have throughout the world?

Mr. COHN. I think there are approximately 150, slightly more than that, Mr. Chairman, under the sponsorship of the State Department, in every continent in the world.

The CHAIRMAN. Just for the sake of the world, will you give us a quick rundown of how you got the names of all the authors and the verification of them?

Mr. COHN. Yes. At the Library of Congress there is maintained what is known as a master file, and that master file indicates the location in these 150 State Department information centers of books, by titles and by author. So if we want to see where books by a certain author are located anywhere throughout the world in the State Department information centers, we merely check with those master files under the name of the book and under the name of the author, and we will get the information. That has been done by the Library of Congress at our request. There is merely a mechanical function in keeping these cards, but they have supplied us with the information.

At your request, Mr. Chairman, we sought to determine whether or not any books by Communist Party members or known Communists were being used in the State Department information centers. We have been told by the State Department, of course, that they don't think any of these books can be used or should be used.

The CHAIRMAN. May I say that my check indicates that as far as we can determine, no books by Communist authors have been purchased since the new administration has taken over.

Mr. COHN. We have that assurance in writing, Mr. Chairman.

The CHAIRMAN. This morning, you have some of the authors of some of the books that have been purchased by the information program?

Mr. COHN. You have some of the authors whose works we have found are being used in State Department information centers.

The CHAIRMAN. Which witness do you want to call first?

Mr. COHN. I think if we could have Mr. James S. Allen, whose books are being used in the State Department information program; he is here, and I think he should come on first.

The CHAIRMAN. Mr. Allen, will you step forward?

You have been previously sworn, Mr. Allen. You are reminded that your oath is still in effect. And for the sake of the record, will you identify your counsel, your lawyer?

TESTIMONY OF JAMES S. ALLEN, ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER

Mr. ALLEN. My counsel is Mr. Joseph Forer, of Washington, D. C.

The CHAIRMAN. Mr. Joseph ———?

Mr. ALLEN. Forer, F-o-r-e-r.

The CHAIRMAN. I believe you have been previously informed that if at any time you care to discuss any matter with your counsel, you may do that. If, for any reason, you want to have a private conversation with him or conference at any time during the hearing, you can retire to a private room for such a conference. Your lawyer can advise with you at any time. Counsel is informed that he can take no part in the proceeding except to advise his client whenever he cares to do so.

If counsel thinks a question is improper, he may advise his client whether or not he should answer.

Mr. Cohn, let me ask: The book purchased by the information program, written by this witness, is entitled "World Monopoly and Peace." Is that right?

Mr. COHN. That is one of them, Mr. Chairman. There is another one entitled "World Cooperation and Postwar Prosperity." Both

of these books are being used today by the State Department in its information program.

The CHAIRMAN. Mr. Allen, I am going to hand you this book and ask you to identify this as your work, or otherwise, as the case may be.

Mr. ALLEN. Yes, that is my work.

The CHAIRMAN. Will you mark that as exhibit No. 1?

(The books referred to were marked "Exhibits 1 and 2," and may be found in the files of the subcommittee.)

The CHAIRMAN. I hand you this other book.

Mr. ALLEN. Yes, this is my work.

The CHAIRMAN. That is your book also?

Mr. ALLEN. This book, entitled "World Cooperation and Postwar Prosperity," published in 1945.

The CHAIRMAN. Will you hand me those books, please?

Mr. Allen, at the time you wrote the first book handed you, World Monopoly and Peace, the book purchased by our information program and being used in our libraries, were you a member of the Communist Party?

Mr. ALLEN. I refuse to answer that question, sir, on the basis of my privilege.

The CHAIRMAN. Will you speak a little louder, if you will?

Mr. ALLEN. I refuse to answer that question on the basis of my privilege under the fifth amendment not to be a witness against myself.

The CHAIRMAN. In other words, you refuse to answer on the ground that your answer might incriminate you?

Mr. ALLEN. It might be put that way, but I believe that my phrasing of it is perhaps a more exact definition of the privilege under the constitutional amendment.

The CHAIRMAN. Well, the only privilege we recognize here, Mr. Allen, is the privilege to refuse to answer if you honestly feel that a truthful answer might incriminate you. You cannot refuse to answer on the ground that perjury in an answer might incriminate you. Do you follow me? And this committee must determine each time whether or not you are entitled to privilege. If you inform us that you honestly believe that if you tell us the truth as to whether you were a member of the Communist Party at the time you wrote this book, that might tend to incriminate you, you are entitled to refuse to answer. You understand that?

Mr. ALLEN. I do.

The CHAIRMAN. And your answer is that you are refusing to answer on the ground that your answer might tend to incriminate you?

Mr. ALLEN. In substance, yes.

The CHAIRMAN. Now, as of this moment, Mr. Allen, are you a member of the Communist Party?

Mr. ALLEN. My answer is the same, on the same grounds.

The CHAIRMAN. We will make you give us those grounds, Mr. Allen, each time, I am afraid.

Mr. ALLEN. On the basis of my privilege under the fifth amendment.

The CHAIRMAN. The only privilege we recognize, Mr. Allen, is that you feel that your answer might tend to incriminate you. When you

refuse to answer, you must so state. Otherwise you will be forced to answer. Do you understand that?

Mr. ALLEN. Yes, sir.

The CHAIRMAN. I will ask the question again. Are you a member of the Communist Party as of this day?

(Mr. Allen confers with Mr. Forer.)

Mr. ALLEN. I refuse to answer that question on the basis of my privilege under the fifth amendment.

The CHAIRMAN. Do you feel that if you answer that question truthfully it might tend to incriminate you?

Mr. ALLEN. It might tend to incriminate me.

The CHAIRMAN. Then you are entitled to refuse to answer.

May I ask: Were you rather surprised to learn that your books were being used in our libraries to fight communism?

Mr. ALLEN. Well, I might say this: that I hold no brief for the Voice of America or the services they perform through the United States Information Office abroad, and I believe that if there were more books of this type there, perhaps they would be entitled to the name Voice of America more so than at the present time.

The CHAIRMAN. In other words, you think they don't purchase enough books by Communist authors?

Mr. ALLEN. I don't think they purchase the kind of books or distribute the kind of books which will really give a picture of the way the American people feel, to our friends abroad.

The CHAIRMAN. Were you the foreign editor of the Communist Daily Worker?

Mr. ALLEN. I refuse to answer that question on the basis of my privilege under the fifth amendment, since it might tend to incriminate me.

The CHAIRMAN. Senator Dirksen has pointed out that that involved a statement of fact. I doubt very much that you have the privilege to refuse to answer that question. However, the privilege always has been interpreted very broadly by the courts. It is common knowledge that this man was foreign editor of the Daily Worker, so I assume it is not too important whether he answers it or not.

Mr. Allen, do you know a single member of the staff of the Daily Worker who is not a member of the Communist Party?

Mr. ALLEN. I refuse to answer that question, on the grounds previously stated.

The CHAIRMAN. On the grounds that your answer might incriminate you?

Mr. ALLEN. Yes, sir.

The CHAIRMAN. While you were foreign editor of the Daily Worker, did you get instructions from Moscow as to what the party line should be?

Mr. ALLEN. I refuse to answer that question, on the grounds of possible self-incrimination, that it might tend to incriminate me. I also would like to point out that I have previously refused to answer the question as to whether I was foreign editor of the Daily Worker, and that was implied in your question.

The CHAIRMAN. You were before us yesterday and you refused to answer many of these questions, but the public is entitled to know what kind of books we are buying, what kind of authors we are using to fight communism. This is their money that is being spent. I

gather from your answer that you have some resentment at being called in public to answer questions.

One of the functions of this committee, of course, is to provide answers to these questions to the public.

Mr. ALLEN. May I comment on what you just said, sir?

The CHAIRMAN. You may at any time comment on any question.

Mr. ALLEN. It would seem to me that if this committee were interested in this particular book or in any other book, they would examine the book and not the author. It is the book that has been placed in the library, and its contents should be examined, to determine on the basis of that whether it is the kind of a book that does reflect the truth of affairs, the way things are.

The CHAIRMAN. Do you claim this is an anti-Communist book?

Mr. ALLEN. I claim nothing with respect to the book, either one way or the other. I say that this is a book which discusses the trend of affairs at the close of World War II, and attempts to assess the forces at work for peace and those at work for war. It is a book directed toward the establishment of a just and lasting peace following the last World War.

The CHAIRMAN. I may say we have examined the book as you have suggested, and I have some passages from it which I shall read now, in view of your very good advice that we should examine your book:

On page 228:

The Soviet Union plays the role of clearing the path, of facilitating world progress, of proving by its own example the superiority of the socialist system.

Do you think that is good anti-Communist propaganda? That is Communist propaganda, is it not? That is from your book.

Mr. ALLEN. That is from my book. I recognize that from my book. Of course, it comes with much else in it.

The CHAIRMAN. That is the type of material, you understand, that the information program has been putting out to fight communism.

Let me—

Senator DIRKSEN. Well, Mr. Allen, just in simple language, that is a good plug for the Soviet Union, is it not?

It would not bother you to answer that question, would it, on the basis of the language just read? You are plugging the Soviet system.

Mr. ALLEN. I wouldn't put it in your term, Senator. I will put in my own.

Senator DIRKSEN. Let us just read the language again:

The Soviet Union plays the role of clearing the path of facilitating world progress, of proving by its own example the superiority of the Socialist system.

How would you describe that as anything else but a plug for the Socialist system, all of it? You do not have to belabor it. I just want to know.

Mr. ALLEN. I wish to make the point clear, if you don't mind, sir.

Senator DIRKSEN. All right.

Mr. ALLEN. The point made there is that socialism as a form of society is superior to capitalism. That is my belief, and that is the belief that I have been writing about in my books.

The CHAIRMAN. You are entitled to any belief, of course, in this country. That is one of the advantages that we have in this country over the system which you espouse.

You say that the Socialist system is superior to ours. Do you feel that communism, as practiced in Russia today, is superior to our form of government?

Mr. ALLEN. I would like to point out, sir——

The CHAIRMAN. I will insist that you answer it after you "point out."

Mr. ALLEN. I understand that.

This is what I would like to point out that the system of society that has developed in the Soviet Union is socialism.

The CHAIRMAN. A little louder, if you will, sir.

Mr. ALLEN. The system of society known as socialism is superior to the system of capitalism, because of the fact that it has done away with exploitation of man by man, and makes possible a world peace, and higher living standards.

Senator POTTER. Is exploitation done away with in the Soviet Union today?

Mr. ALLEN. Exploitation in the class sense of the term, certainly.

Senator POTTER. I assume you would have many Jewish people in the Soviet Union who would disagree with you.

Mr. ALLEN. You are just repeating a rumor that has been current around lately. I just don't believe that.

Senator POTTER. You do not believe that we have had Jewish purges in the Soviet Union and its satellites?

Mr. ALLEN. I don't believe that there has been. I don't believe there is a drive against Jews in the Soviet Union nor any drive of an anti-Jewish nature whatever.

Senator POTTER. The Jewish people have been dying of heart attacks?

Mr. ALLEN. I do not know where you got the facts about Jewish people dying.

The CHAIRMAN. I would assume that after Slansky got through hanging he was not very much alive.

Mr. ALLEN. That is quite another matter, sir. It has nothing to do with a campaign against the Jews.

The CHAIRMAN. I am going to insist that you answer my question.

The question was: Do you think that communism, as practiced in Russia today, is superior to the American system?

Mr. ALLEN. As a system of society, yes.

The CHAIRMAN. And that is the theme of your book which has been purchased to fight communism?

Mr. ALLEN. That is not the theme of the book. That is one of the subjects discussed in the book. The theme of the book is the establishment of world peace. That is the theme of the book. The establishment of world peace by negotiations between this country and the Soviet Union.

The CHAIRMAN. Then let me ask you this: Do you deny that the purpose of this book is to extoll the Soviet Union, praise communism as a system?

Mr. ALLEN. I do deny that. That is not the purpose of the book. The purpose of the book is to work for world peace. That was the aim of the book, and that is what I thought it did rather effectively.

The CHAIRMAN. The purpose was not to fight communism or expose communism as an evil.

Mr. ALLEN. Obviously not.

The CHAIRMAN. In other words, you do not consider communism an evil? You think it is a superior system, superior to ours, and therefore your book could not expose any evil about the Communist system?

Mr. ALLEN. It is a system of society that has been adopted by more than one-third of the population of the world.

The CHAIRMAN. I am going to insist that you answer these questions. Then you can make any comment you care to. But first you must answer the question.

Will you read the question, Mr. Reporter?

(Reporter reads question.)

The CHAIRMAN. I would like to have an answer to that; and then, if you want to comment, you may do so.

Mr. ALLEN. May I answer in my own terms?

The CHAIRMAN. Yes; but I will insist on an answer.

Mr. ALLEN. An answer; yes.

My answer, as given before to a similar question, is that socialism as a system of society is superior to capitalism. Socialism is the system of society in the Soviet Union; and, as developed there, it is superior to capitalism. That answer is one-half your question, I believe, sir. The other half—

The CHAIRMAN. Can you get a little nearer to those mikes? I can just about hear you.

Mr. ALLEN. With respect to the other half of the question, I did not undertake any anti-Communist campaign in that book. I don't believe in the anti-Communist campaign. I believe it is merely a cover for fascism and a drive toward fascism and a destruction of civil liberties. That is what anticommunism is, and that is the role it has played throughout history. That is the role it played in Germany. That is the role it played in Italy, and the role it played in Japan. And I believe a similar effort is being made in this country.

The CHAIRMAN. In other words, you think one of the purposes of world communism is to protect the civil liberties of the people who are under the Communist rule? Is that correct?

Mr. ALLEN. That is not the purpose of world communism, sir.

The CHAIRMAN. Is that one of the purposes?

Mr. ALLEN. It is not one of the purposes.

The CHAIRMAN. It is not. Do you think that Communist Russia is ahead of us in protecting civil liberties?

Mr. ALLEN. I believe it is. I think, as far as the mass of the people is concerned, they have a much broader enjoyment of civil liberties than we enjoy here.

The CHAIRMAN. Senator Potter, I think you had a question?

Senator POTTER. Mr. Allen, you imply that a person that is opposed to communism must be a Fascist.

Mr. ALLEN. That was not my statement, Senator. I don't say that everybody that is opposed to communism is a Fascist. I think there are a lot of people who are opposed to communism who are not Fascists, and who do so on the basis of some very honest opinions of their own with respect to democracy. But I do believe that there is a minority within this country today that is pro-Fascist. They would like to see something equivalent to a Fascist system established in this country.

The CHAIRMAN. Mr. Allen, if the Congress were to declare war against Soviet Russia, would you be willing to bear arms against Soviet Russia?

(Mr. Allen confers with Mr. Forer.)

Mr. ALLEN. My answer to that would be that that would depend entirely on the circumstances, sir. If we were the victim of aggression, I would defend this country completely and wholeheartedly, no matter from what quarter.

Senator POTTER. Including the Soviet Union?

Mr. ALLEN. If the Soviet Union were the aggressor, yes. I doubt very much that they would be so.

The CHAIRMAN. You could not conceive of the Soviet Union being the aggressor, could you?

Mr. ALLEN. I don't believe their policy is an aggressive one. I think it is a peace policy.

The CHAIRMAN. In other words, your testimony is that if we were to declare war against Russia you would determine in your own mind whether we were right or wrong, and your testimony is that you cannot conceive, as of today, Russia's being wrong. Is that substantially your testimony?

Mr. ALLEN. That was not the substance of my testimony. The substance of my testimony was—we are discussing one of those "iffy" questions, one that is entirely hypothetical—that if such a situation should arise my position would be determined by the circumstances of the time.

The CHAIRMAN. Do you feel that our war in Korea today is a just war?

Mr. ALLEN. I think it is completely unjustified, as far as we are concerned. We have no business over there.

The CHAIRMAN. Do you feel that the war insofar as the Communists in Korea are concerned—

Mr. ALLEN. I think—

The CHAIRMAN. Let me finish.

Do you feel that the war in Korea, insofar as the Communists are concerned, is a just war?

Mr. ALLEN. I believe they are defending the independence of their country.

Senator POTTER. You do not believe it was an act of aggression by the Communists?

Mr. ALLEN. Well, it is hard for me to see how the Koreans could be aggressors against themselves.

Senator POTTER. Well, the majority of the troops are Chinese Communists.

Mr. ALLEN. I think that they are really threatened, that their security is threatened; just as when Japan took over Korea. Now, we are following exactly in the footsteps of Japan. That is the way Japan began her conquest of Asia or her attempt to conquer Asia, by seizing Korea in the first place; and we are following the same path.

The CHAIRMAN. Senator McClellan?

Senator McCLELLAN. Then in view of your beliefs, as you have expressed them, I assume that you want us to lose the war in Korea, because it would be unjust for us to win. Is that correct?

Mr. ALLEN. I want to see an end to that war.

Senator McCLELLAN. Do you want us to lose it?

Mr. ALLEN. I think that we will lose it if we continue fighting it, sir.

Senator McCLELLAN. You think we are bound to lose, and you want us to lose, because you think it is unjust.

Mr. ALLEN. I want peace in Korea.

Senator McCLELLAN. Well, you want us to lose the war so that we may have Communist peace. Is that right?

Mr. ALLEN. I think that the matter is quite different, sir.

Senator McCLELLAN. How can it be different?

Mr. ALLEN. We are not at war with Korea. Technically, it is a war being waged by the United Nations against Korea, in which we are taking the whole burden of that war.

Senator McCLELLAN. Well, you want us to lose it, do you not?

Mr. ALLEN. I want us to end that war in Korea.

Senator McCLELLAN. You want us to end it by losing it and having a Communist peace?

Mr. ALLEN. I don't think it is a question of winning it or losing it, sir. I think it is a question of having peace in Korea. We can have it if we wish to.

Senator McCLELLAN. We tried that for a year and a half, did we not?

Mr. ALLEN. There was only one question left, the question of prisoners.

Senator McCLELLAN. The question of forcing prisoners to Russia who did not want to return.

Mr. ALLEN. Don't forget the other side has some of our American boys, too.

Senator POTTER. Do you think our American boys want to stay over there?

Mr. ALLEN. I think our American boys want to get home; and I would like to see them get home.

The CHAIRMAN. I think we should make it very clear for the benefit of the press—I assume you all are aware of it—that the library program is not under the Voice of America. That is the information program, and the Voice is not responsible for the purchase of these books by Communist authors. That is a separate bureau, or call it what you may under the "International information program."

Mr. Allen, if you wanted to fight world communism—that is, if you wanted to—do you think that you would purchase the books of Communist authors and distribute them throughout the world?

Mr. ALLEN. You are placing me in a sort of impossible position, aren't you, Senator?

Senator DIRKSEN. Mr. Allen, just to get at that in another way: Here is a program that maintains 150 libraries throughout the world where people can go and examine these books in the hope that they will get an objective idea of America, its culture, and its purposes. Now, we share the conviction that the Soviet is the spearhead of aggressive force called "communism" in contradistinction to the free world and the free ideal that we espouse.

Now, there is such a library in Bombay, India. I have been in it. So, a student in Bombay goes into the library, and he picks up one of

your books. And he reads it very carefully, and he gets to page 221. And then he finds this passage. He sees:

Socialism is devoid of all factors making for aggression. The Soviet Union is the only world power which is neither aggressive nor potentially aggressive.

Do you think a student in India could read that without getting the clear implication that if the Soviet Union is the only world power that is neither aggressive nor potentially aggressive, the United States must be aggressive and potentially aggressive?

Mr. ALLEN. I don't think that that follows from that, sir.

Senator DIRKSEN. Well, what does follow?

Mr. ALLEN. I think that we have followed policies in the past that were not aggressive, and I think that we can follow policies in the future that will not be aggressive, if we change our present foreign policy into one of peace.

Senator DIRKSEN. Well, you pinpointed one country in the world that rates in the king row, as it were—as a world power that is neither aggressive nor potentially aggressive—and that is the Soviet Union. So, every other world power evidently does not fall into that frame. I do not see what else you can make out of it. Now, of course, comes the construction of it. You see, out of funds of the taxpayers, they are buying your books, and they are putting them around in these libraries in order to give people a more objective sense of what America stands for. Do you think that is a justified expenditure of public funds?

Mr. ALLEN. I believe the entire expenditure is unjustified.

Senator DIRKSEN. Including your book?

Mr. ALLEN. The entire expenditure for the purposes of the cold war.

The CHAIRMAN. Mr. Allen, do you know Reed Harris?

Mr. ALLEN. I do not.

The CHAIRMAN. To properly refresh your recollection, Reed Harris is presently the Deputy Administrator of the Information Program. He was the young man that was expelled from Columbia back in the early thirties because of some of his radical activities. He was the editor of the Spectator.

To further refresh your recollection, on November 25, 1932, a Mr. Oakley Johnson, a Mr. Donald Henderson, a Mr. Sol Auerbach, and Mr. Reed Harris, spoke at a protest gathering against the discharge of Leo Gallagher, an alleged Communist at the University of California.

Would that refresh your recollection?

Mr. ALLEN. It doesn't at all, sir.

The CHAIRMAN. Who is Sol Auerbach?

Mr. ALLEN. That is me. That is my name. My pen name is James S. Allen.

The CHAIRMAN. So that when we find that Sol Auerbach, Don Henderson, Oakley Johnson, and Reed Harris spoke at this protest gathering, you say you don't recall that?

Mr. ALLEN. I have no recollection of that meeting whatsoever.

The CHAIRMAN. Do you recall having appeared at a gathering to protest the discharge of Gallagher from the University of California as an alleged Communist?

Mr. ALLEN. I don't remember any such name.

The CHAIRMAN. Do you know Donald Henderson?

Mr. ALLEN. I will refuse to answer that on the basis of my privilege under the fifth amendment.

The CHAIRMAN. Will you speak a little louder, sir?

Mr. ALLEN. I will refuse to answer that question on the basis of my privilege under the fifth amendment.

The CHAIRMAN. Do you honestly feel that if you were to tell us the truth as to whether you know Donald Henderson, that might incriminate you?

Mr. ALLEN. I do.

The CHAIRMAN. You do. Do you know Oakley Johnson, the other man who appeared on that program?

Mr. ALLEN. My answer would be the same there.

The CHAIRMAN. And that is what?

Mr. ALLEN. On the grounds previously stated, of my privilege under the fifth amendment.

The CHAIRMAN. In other words, your answer is that if you were to tell us honestly whether you know Oakley Johnson, you feel that might incriminate you?

Mr. ALLEN. That might tend to incriminate me.

The CHAIRMAN. And you say you do not recall knowing Reed Harris, the other man who appeared on the program?

Mr. ALLEN. I don't remember him at all.

The CHAIRMAN. May I say to the other Senators: I hope you will feel perfectly free to interrupt at any time you care to.

Senator MUNDT. I would like to interrogate Mr. Allen about a statement he made which it seems to me would be very difficult to prove, if I understood him correctly.

I think you said that in your belief civil liberties function better in Russia under communism than they do here in the United States under our system of government. Is that right?

Mr. ALLEN. That is correct.

Senator MUNDT. Would you give us a definition of what you consider civil liberties to be? Could you better phrase that?

Mr. ALLEN. I would say that civil liberties in its broadest sense would include the right of everybody to work, the right to a decent livelihood, to decent housing, equal economic opportunities and advancement, which is the basis of the exercise of the civil liberties, the civil aspect of it. And in its civil aspect, civil liberties means the right to the holding and expression of views, of the right of public assembly and mass meeting and the rights that we know as our Bill of Rights, which are being very much infringed upon in this country today.

Senator MUNDT. Let me pinpoint it, then. Would you consider the right of an individual to have freedom of movement to be one of the civil liberties?

Mr. ALLEN. As long as it doesn't interfere with the public welfare; yes.

Senator MUNDT. Is it your sworn testimony, then, that in your opinion there is a greater amount of freedom of movement available to a Russian citizen than there is to an American citizen?

Mr. ALLEN. I would say there is a greater freedom of movement for the great mass of the Soviet citizens.

Senator MUNDT. We are talking about the great mass.

When were you last in Russia?

Mr. ALLEN. Well, I will refuse to answer that on the ground——

Senator MUNDT. That would not incriminate you. Being in Russia would not incriminate you.

Mr. ALLEN. Nevertheless, I will stick to that, sir.

Senator MUNDT. Have you ever been in Russia?

Mr. ALLEN. I will answer in the same way.

The CHAIRMAN. In other words, your answer is that you refuse to answer on the grounds that if you told the truth it might incriminate you?

Senator MUNDT. Are you sure you are not refusing to answer because you have not been there, and you do not want to admit that you are relying on a lot of twaddle?

Mr. ALLEN. I don't rely on twaddle. I am something of a student, and I would like to keep that very clear.

Senator MUNDT. I thought you might be reading a lot of twaddle somebody else wrote because, obviously, you have now picked out a point, that of freedom of movement, on which nobody will believe you; because nobody believes that the average Russian in Russia has as much freedom to move around as the average American in America.

Mr. ALLEN. Well, may I explain that? I believe one of the great postwar problems that the Soviet Union faced was to attempt to cut down the tremendous movement of populations across the Soviet Union and to stabilize their working conditions.

Senator MUNDT. You have gotten mixed up, I think. They were moving out of Russia.

Mr. ALLEN. Well, talking of twaddle—let's try to stick to facts here.

Senator MUNDT. All right. I am trying to get you to stick to them.

Mr. ALLEN. One of their leading problems was that of stabilizing employment and getting conversion back to peacetime construction, and so on, and rebuilding the terrific damages of the war. As you know, they were terrific in that country. And that would indicate that there was so much freedom of motion as far as the population was concerned that measures had to be taken to stabilize employment, to reemploy workers in an orderly fashion, and so on. That was one of their big postwar problems. Now, I know that the usual picture in this country about conditions in the Soviet Union is that it is nothing but one vast prison camp. Now, that is as far from the truth as one could possibly get. If one were to follow closely the authentic reports of what is taking place there, not from people that you would consider propagandists, as perhaps you consider me, but from people——

Senator MUNDT. What is an authentic report?

Mr. ALLEN. I would say a visitor who has been there and seen for himself.

Senator POTTER. Could you get us in there?

Mr. ALLEN. Well, I am sorry. I can be of no service to you whatsoever. You would have to stand on your own record there, Senator.

The CHAIRMAN. May I ask the Senators: I have Earl Browder, former head of the Communist Party, whose works are also being used, and other witnesses, here, and I hope we can cut our questions down as much as possible.

Senator MUNDT. Let us pin him down a little more on this matter of movement. Now, let us talk about the freedom of movement that a

citizen of Russia has to leave Russia and to get a visa to visit England or Denmark, or any country outside of what is known as the Iron Curtain. Is it your sworn testimony that it is your opinion, from some strange source—I do not know where you got it, but not by looking at the situation in Russia—is it your sworn testimony that you feel a citizen in Russia has greater civil liberties about getting a passport and going on a trip abroad than the American citizen?

Mr. ALLEN. As far as I know, there have been many American citizens that have tried to get visas and been refused visas by the United States State Department. And if you will get me a passport, Senator, I would appreciate that a great deal, too.

Senator MUNDT. You are barred under the Mundt-Nixon bill.

Mr. ALLEN. Well, that is certainly an indication of my privilege of traveling, isn't it?

Senator McCLELLAN. If we will help you get a passport to Russia, will you go there and stay?

Mr. ALLEN. This is my country. I was born and raised here, and I would like to see this country live well.

Senator McCLELLAN. You can say that when you denounce everything that is noble and grand about this country? Are you a Communist?

Mr. ALLEN. May I comment on your previous statement before I answer?

The CHAIRMAN. You may answer the question.

Senator McCLELLAN. Will you answer the question?

Mr. ALLEN. I answered that question previously.

Senator McCLELLAN. Well, I am asking you now. I am asking you now: Are you a Communist?

Mr. ALLEN. I answered it by saying that I refuse to answer under my privilege given me by the fifth amendment.

Senator McCLELLAN. You are entitled to invoke that privilege. But may I ask you this: Do you think, after the philosophy you have testified to here, and the views you have expressed on the record, that any fair-minded man, anyone competent to judge, could come to any other conclusion other than that you are a Communist and that you are ashamed of it or afraid to tell the truth?

Mr. ALLEN. That is a conclusion for you to come to, sir.

Senator McCLELLAN. Do you not think that is a conclusion everybody comes to after hearing you testify? Can you point out any other conclusion that any rational mind could come to?

Mr. ALLEN. I can.

Senator McCLELLAN. Point it out.

Mr. ALLEN. I think that a rational mind sitting in on these proceedings can come to another conclusion. He can come to the conclusion that anticommunism is being used here as a means to burn books, to prohibit their distribution, through whatever means, and to curb civil liberties.

Senator McCLELLAN. Do you believe in the overthrow of this Government by force and violence?

Mr. ALLEN. I do not.

The CHAIRMAN. If communism could not be established in this country by peaceful means, then would you take the position that it should be established in this country by force and violence?

Mr. ALLEN. Well, that is another one of those "iffy" and speculative questions, sir. And the only way I can answer that is by saying, "I don't know." I don't know under what circumstances such a situation might arise. I haven't given it much thought. It is not a practical question before us. And my own answer is that I don't know.

The CHAIRMAN. It is very practical, sir, when we are using your books allegedly to fight communism.

My question is: If you find that communism could not be established in this country by peaceful means, then would you agree with the Communist philosophy that it should be established by force and violence? I am going to have you answer that question.

Mr. ALLEN. I will answer it, but if you permit me to do so on my own terms. I don't agree with your phrasing of the question.

The CHAIRMAN. I am not going to try to phrase your answer. You can answer it in your own words.

Mr. ALLEN. You have said, in the form of the question, that the Communist movement, or Communists, do advocate the violent overthrow of the Government. I believe that is not a fact, not a proven fact, and hasn't been proven in any of the courts, in any of the trials.

The CHAIRMAN. I will reframe the question. If you discover that communism cannot be established in this country by peaceful means, do you feel that it should be then established by force and violence?

Mr. ALLEN. I think I have answered that. I will repeat my answer. My answer to that would be I do not know what my position would be, because I don't know what the circumstances might be or what the general situation might be.

The CHAIRMAN. In other words, as of this moment, your answer is that you do not know. You do not know whether you would favor a bloody revolution in this country to establish communism if it could not be established by peaceful means. As of this moment, you say you do not know. Is that correct?

Mr. ALLEN. In answer to this entirely hypothetical question, now, let me make this clear: that I do not advocate force and violence, and I think it is possible, and I certainly would like to see, a change to socialism when such a time comes and when the majority of the American people want it, taking place peacefully, as peacefully as possible. And I think that would largely be determined by what the people on the other side would think about it, the people who might try to stop that kind of a development.

The CHAIRMAN. Mr. Allen, were you assigned to the job of creating a Communist Party in the Philippines?

Mr. ALLEN. I must refuse to answer that question on the grounds of my privilege under the fifth amendment, since it might tend to be incriminatory.

Senator MUNDT. Since you rely on that privilege so greatly, Mr. Allen, may I just point out that that is just another civil liberty we have here that Russia does not have?

Mr. ALLEN. Fortunately, we still do have that recourse, because if we didn't, it would be a very sad state in this country.

The CHAIRMAN. I might say, Mr. Allen, that if you were in a Russian court today and you were asked whether you were an American spy, and you said, "I refuse to answer relying on my constitutional privilege," your life insurance would be awfully high. [Laughter.]

Mr. COHN. Mr. Allen, I don't think you gave us your present occupation. What are you doing now?

Mr. ALLEN. I am a writer.

Mr. COHN. And where are you employed?

Mr. ALLEN. I will not answer that question, on my constitutional grounds.

Mr. COHN. Is it not a fact that you are an official of International Publishers, the official publishing house of the Communist Party?

Mr. ALLEN. I will not answer that question.

Mr. COHN. And is it not a fact that this same International Publishers, the official publishing house of the Communist Party, is the house that published this book of yours that is being used in the State Department information program?

Mr. ALLEN. I will not answer that question.

Mr. COHN. Is your book, World Monopoly and Peace, published by International Publishers?

Mr. ALLEN. It is.

Mr. COHN. It is, is it not?

Mr. ALLEN. Yes. The book is published by International Publishers.

Mr. COHN. You won't tell us whether International Publishers is the official publishing house of the Communist Party?

Mr. ALLEN. I will refuse to answer that question.

Mr. COHN. I think it has been so officially cited.

The CHAIRMAN. I am going to subpoena the records of International Publishers and determine, if possible, how many other books the information program has purchased from this Communist publishing house. I suggest that that be done at the earliest convenience.

May I say to the other Senators that unless we have questions of a new nature, I would like to get on to the other witness.

Senator DIRKSEN. There is one thing, Mr. Chairman. I do not want the answer to Senator McClellan's question to stand just as it is, because Mr. Allen has stated that this effort to ferret out communism, anti-Communist efforts, was a foundation for burning books and so forth.

That is not involved at all, Mr. Allen, here, as a matter of fact. So let us get at it this way.

In the first place, you do believe that socialism is inevitable in the United States?

Mr. ALLEN. I believe it will come when most of the people want it. I think it is inevitable; yes.

Senator DIRKSEN. You say on page 273:

The destructive power stored away in the atom bombs of the United States is no match for the forward move of nations to socialism, which is the future of America, as it is of the world.

In other words, socialism is inevitable in the United States?

Mr. ALLEN. I stick very strongly by those sentiments you just read.

Senator DIRKSEN. All right. That is what that is. You are a native-born citizen, and you believe socialism is inevitable?

Mr. ALLEN. Correct.

Senator DIRKSEN. Now, this is certainly not a book-burning adventure. What we are quarreling about is simply this: That here we last year appropriated for this whole information program \$86 million

of the taxpayers' money, to put a Voice of America on the air, to buy books and staff these libraries, and with public money they buy your books, which are circulated around where people in other countries can get at them and read your sentiments. And that certainly is not a good deal so far as the cause of the plaintiff is concerned. Now, that is all that is here. We are not interested in burning books at all. We are interested, however, in stopping the business of buying this kind of stuff to indoctrinate and orient people in all the world along your lines, when, as a matter of fact, that is not an expression of the objective of the free world at all. It is just that simple.

Mr. ALLEN. Where do you stop, Senator?

Senator DIRKSEN. Well, if you are going to fight a war, if you are going to carry on at high expense, the gospel of the free ideal, then you certainly do not go around and buy a lot of trash and nonsense to indoctrinate those same minds at public expense with the other viewpoint. Because a student somewhere in Iran, in Egypt, in Bombay, in Delhi, anywhere in the world, reading that, will say, "Oh, well, here is a native-born American author who says, 'Socialism is inevitable in the United States.' We will stand by and wait. What is the use of lifting your voice? What is the use of doing anything for the free ideal? This, according to Mr. Allen, which is a pseudonym for Mr. Auerbach, is useless. He thinks it is inevitable in the United States. It is a waste of money."

The CHAIRMAN. More important than that, Senator, when these Communist books are placed in our libraries throughout the world, the people in those nations are entitled to think that that bears the stamp of approval of the American Government. And when a book such as this, which extols all the virtues of the Soviet Union as the only great force for peace, is brought to the world through these channels, that means to any ordinary person in Bombay, India, in Spain, in France, that this is the feeling of this Government.

You may step down.

Senator MUNDT. Mr. Chairman, I had some other questions I was going to ask Mr. Allen but I am prepared to believe that we are trying to pump water out of a very poisonous well, and I am inclined to prefer to have the next witness appear.

The CHAIRMAN. May I say, Mr. Allen, before you leave: One of the other witnesses yesterday took it upon himself to tell the committee that if we exposed him and he lost his job, he would attack the committee. Now, you have a perfect right to attack this committee whenever and wherever you please. You do not even need to be a Communist college professor to attack this committee. Any ordinary Communist can attack this committee.

Mr. ALLEN. Or a non-Communist, I believe, too. Anyone can. And I believe many more will.

The CHAIRMAN. You can do it outside the committee room, with no fear of reprisal from this committee. Your conduct within the committee room is, of course, another matter.

Mr. ALLEN. I want to make it clear that I didn't wait for your permission, Senator, in attacking this committee.

The CHAIRMAN. Mr. Browder, will you stand up and be sworn?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROWDER. I do.

Mr. COHN. Give us your full name, please.

First of all, Mr. Chairman, I think counsel is O. John Rogge of New York.

Mr. Browder, as the chairman has explained to the witnesses, you have a right at any time you wish to confer with your counsel before you answer any question, and get his view as to what your position should be.

**TESTIMONY OF EARL RUSSELL BROWDER, ACCOMPANIED BY HIS
COUNSEL, O. JOHN ROGGE**

Mr. BROWDER. Thank you.

Mr. COHN. We would like your full name, please.

Mr. BROWDER. Earl Russell Browder.

Mr. COHN. Now, Mr. Browder, are you the author of a book entitled "Communism in the United States, by Earl Browder," which is being used by the State Department information program, a copy of which I display to you, if you will look up here?

Mr. BROWDER. I would have to appeal to my rights under the fifth amendment, and refuse to answer that question.

The CHAIRMAN. Mr. Counsel, will you properly identify the witness?

Mr. COHN. Yes. I believe the record indicates, Mr. Chairman, that Mr. Browder, until 1945, was the general secretary of the Communist Party of the United States, and as such the top official of the Communist Party of the United States, and he held that position when this book was written.

Mr. Browder, would you examine that book, and would you read the cover of that book to us?

Mr. BROWDER. I would not give an answer to any substantive question before this committee.

Mr. COHN. Well, this is not a substantive question. This is merely performing the mechanical act of reading what it says on the cover of that book.

Mr. BROWDER. Reading what it says on the cover of the book is not a substantive question?

Mr. COHN. I don't think it is.

The CHAIRMAN. I do not think you can incriminate yourself by reading the cover of that book.

Mr. BROWDER. In a committee headed by Senator McCarthy, it is very difficult to tell how one could incriminate oneself.

The CHAIRMAN. Well, we will ask you to read the title on the book. This is one of the books, you see, Mr. Browder, that the taxpayers have been buying to fight communism throughout the world.

Let me first check with counsel.

You have established that this book was purchased by the information program and is being used by the information program?

Mr. COHN. That is established, Mr. Chairman, and it is presently in use by the information program.

The CHAIRMAN. How many books by Mr. Browder and of the last witness have been so purchased, and how many libraries are they now in? Have you established that?

Mr. COHN. No, we have not established that exactly. We have determined that 2 books of the last witness and 3 of Mr. Browder are in use. We don't know exactly how many copies and in what locations. We have some of the locations, but not all. I know, for example, that London is the location of some of Mr. Browder's books, and some posts in South America.

The CHAIRMAN. Will you answer the question now, Mr. Browder?

Mr. BROWDER. The counsel asked me to read the title of this book. It is Communism in the United States, by Earl Browder.

Mr. COHN. Now, do you deny that you are the Earl Browder who wrote that book?

Mr. BROWDER. I do not answer that question, relying upon my rights under the fifth amendment.

Mr. COHN. When that book was written, Mr. Browder, in the year that that book was written, were you the leader of the Communist Party of the United States?

Mr. BROWDER. The same answer.

The CHAIRMAN. You said "the same answer." You mean you refuse to answer on the grounds that your answer might incriminate you?

Mr. BROWDER. I rely upon my rights under the fifth amendment.

The CHAIRMAN. I think he has the privilege.

Mr. COHN. When that book was written, Mr. Browder, were you a believer in the change of the form of government of the United States from our present form to the socialistic and communistic form?

Mr. BROWDER. Same answer.

Mr. COHN. You refuse to answer that?

Mr. BROWDER. Yes.

Mr. COHN. Were you a believer in the overthrow of our Government by force and violence?

Mr. BROWDER. Same answer.

Mr. COHN. You refuse to answer that question?

The CHAIRMAN. You refuse to answer on what grounds?

Mr. BROWDER. On the grounds that the fifth amendment of the Constitution of the United States gives me the right to refuse to bear witness against myself. And I have good reason to believe that anything I would say before this committee would be used to make trouble for me, because the chairman of this committee has publicly declared that he is out to get me; that he is going to bring charges or has brought charges of contempt and perjury against me; and after he made that statement, I had to defend myself in court on charges of contempt. And I now have pending a charge of perjury, which I have reason to believe arose from that statement of Senator McCarthy.

The CHAIRMAN. May I say, Mr. Browder, that you are not correctly stating the facts. The chairman of this committee never stated he was out to get you or anyone. In fact, as you will recall, when you were up for trial before the local court, six Senators were subpoenaed to appear as defense witnesses. Five of the Senators refused to appear. I appeared as a defense witness for you, as you recall.

Mr. BROWDER. I recall.

The CHAIRMAN. Not because I admired you, but because I felt you were entitled to have the truth presented in court. The question at that time was whether you were in contempt of the Tydings committee. I testified at that time that I thought you were not, that I thought you had cooperated with the Tydings committee fully, and

that while you might be guilty of many other things, you are not guilty of contempt of that committee.

Thereafter, the judge immediately dismissed the case against you.

So I think we should keep the record clear that I have never been out to get you or anyone else, and if I had been I could have refused to appear and testify. If I had, you probably would have been in jail today.

MR. BROWDER. I would like to clear up this matter also, if the Chair will permit.

THE CHAIRMAN. You certainly may.

MR. BROWDER. The record will show that there would have been no citation of contempt against me except for the demand upon the open Senate floor by Senator McCarthy, in a long and passionate speech in which this demand was the center; that he caused that citation for perjury, or for contempt; that he voted for it; that it was useful to him; and that there would have been no case except upon his demand. If later he found—

THE CHAIRMAN. You say that I made that statement on the Senate floor?

MR. BROWDER. I said you made the demand upon the Senate floor that I be cited for contempt, and your demand was the cause for my citation. I had 1 year of organizing the defense to defeat that case which you brought.

THE CHAIRMAN. Will counsel check the Congressional Record? Mr. Browder may be correct in this. I doubt it very much.

MR. BROWDER. I can give you the citation and save you time.

THE CHAIRMAN. Would you, please?

MR. BROWDER. I will.

Senator MUNDT. If it is true, Mr. Chairman, I hope you boast about it and not apologize for it.

THE CHAIRMAN. I am just curious to know whether it is true or not. As I said to the court, I feel that a man who was head of the Communist Party, who has felt that we should overthrow and destroy this Nation by force and violence, was guilty of many crimes, but I thought he was not guilty of contempt of the Tydings committee. I felt that he had cooperated completely and wholeheartedly with the Tydings committee.

At that time he made the same type of attacks against me that he is making now. And he has a right to do that. I do not mind at all. In fact, if Communists did not attack me, I would be disappointed. I would feel I was not damaging their cause.

MR. COHN. Mr. Browder, are you today a Communist?

MR. BROWDER. I would like to give the chairman the citation that he asked for. In the speech, which covers 5 pages of the Congressional Record, April 27, 1950, in the course of the 5 pages of speech and interruptions of other Senators, Senator McCarthy said—and this was after I had appeared in the morning session of the committee, and I made no further appearance before that committee—the Senator said:

I can see no excuse whatever for the committee's not immediately citing Browder for contempt and taking action against him; no reason whatever.

THE CHAIRMAN. May I say that I have no admiration for you, Mr. Browder. Let us make that clear.

MR. BROWDER. Senator, that is quite mutual.

The CHAIRMAN. I understand that.

We have you here to answer certain questions. You have a right to refuse to answer them if you feel your answer will incriminate you. Will you tell us whether you are a member of the Communist Party as of today?

Mr. BROWDER. I have no intention of answering any substantive question before this committee.

The CHAIRMAN. You can refuse only if you tell the committee that if you truthfully answer, the answer might incriminate you. Otherwise you will be forced to answer.

Mr. BROWDER. I can give the committee, in some length, my grounds, if the committee desires it.

The CHAIRMAN. I am requesting your grounds. You are ordered to answer that question unless you feel that your answer might tend to incriminate you. The question is: Are you a member of the Communist Party today?

Mr. BROWDER. I refuse to answer, on the grounds of my rights under the fifth amendment.

Senator MUNDT. Mr. Browder, do I understand you refuse to answer that question because if you did so it might incriminate you, and that is your constitutional grounds?

Mr. BROWDER. I think that I have the legal right to cite the protection of the fifth amendment without using any formulations which are not contained in the fifth amendment itself.

Senator MUNDT. You can cite the fifth amendment only if you apply what is in the fifth amendment to your own case. Is that what you are doing now?

Mr. BROWDER. I am applying it to my own situation, as one who has been threatened by the chairman of this committee that he would get him, in one way or another, by contempt or by perjury, and facing such a powerful Senator, and with no resources of my own to support me except my own mind, I have to take refuge in the fifth amendment.

Senator MUNDT. Mr. Chairman, this is very interesting.

Mr. BROWDER. Even more powerful men than myself have been entrapped by the Senator.

Senator MUNDT. I think this is very interesting testimony, to which the Senator should pay close attention. Here is a man who is known to have been the head of the Communist Party in America. The question of whether he says he was or not, in testifying here, is unimportant, because he openly paraded himself in that capacity for many years. I think it would be fruitful for other Americans to know that here, this man who used to be head of the Communist Party, now testifies under oath, and it is his testimony, that if he were now to admit membership in the Communist Party he would tend to incriminate himself. I think that is pretty indicative of how this conspiratorial apparatus works, especially against people like Mr. Browder, who has been in, and ousted, and in, and ousted from the Communist Party several times.

Mr. COHN. Mr. Browder, have you ever engaged in espionage against the United States?

Mr. BROWDER. I have no answers to make to any substantive questions before this committee.

Mr. COHN. Mr. Chairman, I think we are entitled to an answer to any question addressed to Mr. Browder, regardless of his point of view.

The CHAIRMAN. You cannot refuse to answer a question before this committee because you do not like the chairman or some members of the committee. You have the right under the Constitution of this country, which you would not have in Russia, of course, to refuse to answer if you honestly feel that your answer would tend to incriminate you. But we will not accept any blanket refusal to answer questions.

Mr. BROWDER. I honestly believe, Mr. Chairman, that to answer any questions before this committee would endanger me, might entrap me into some devious schemes, which I can have no knowledge of what they are. I have had a bitter experience in the past. My life has been disorganized since 1950 because I appeared before a Senate committee and attempted to cooperate, answered 300 questions, and most of the questions which you want to ask you will find there in that record. And as a result, as a result of your demand on the floor of the Senate, I spent a year defeating a charge of contempt.

The CHAIRMAN. Mr. Browder, your life may have been disorganized, but if you had our way in this country, many lives would be badly disorganized. Because you had your way in China, a great number of people have died. Because of that, many lives are disorganized there. The only hardship that you can complain of today is the questions being asked, and you do not have a right to refuse to answer questions because you do not like the committee.

Senator McCLELLAN. Mr. Chairman, I suggest you ask the questions without lecturing the witness each time as to what his rights are. He seems to know. Let him make his answers for the record in any form he wants to.

The CHAIRMAN. Then he will not be allowed to make any blanket answer in that form. If he cares to invoke the constitutional right, he must say, "I refuse to answer on the grounds that my answer might tend to incriminate me."

Senator McCLELLAN. That is the very point I make, Mr. Chairman. Let him invoke the right, rather than having the committee invoke it for him.

The CHAIRMAN. You are ordered now to answer the question, Mr. Browder.

Mr. COHN. Were you ever engaged in espionage against the United States?

Mr. BROWDER. I refuse to answer, under my rights under the fifth amendment.

Mr. COHN. Have you ever committed sabotage, engaged in sabotage, against the United States?

Mr. BROWDER. Fifth amendment privilege.

Mr. COHN. Have you ever participated in the international Communist conspiracy seeking to overthrow the Government of the United States?

Mr. BROWDER. Fifth amendment privilege.

Mr. COHN. Mr. Browder, I would like to ask you at this point whether you are the author of another book being used in the State Department Information program today, which, by the way, Mr. Chairman, is being used not only in English but has been translated

into Spanish and is being used, I believe, in some South American libraries in its translated form in Spanish. That is, Teheran, Our Path in War and Peace, by Earl Browder.

Are you the author of that book?

MR. BROWDER. I invoke my privilege under the fifth amendment.

MR. COHN. You refuse to tell us that. Is this not your picture on the cover of the book?

MR. BROWDER. Same answer.

THE CHAIRMAN. You refuse to answer that that is your picture on the grounds that it might incriminate you.

It might.

MR. COHN, may I suggest that at the earliest possible moment, we try and if possible determine the number of libraries in which these books are located? I understand there are about 6 or 8 different filing systems over there.

MR. COHN. Eleven, Mr. Chairman. But it is being worked on in the Library of Congress, and Mr. McCracken is cooperating and attempting to get us the exact information.

THE CHAIRMAN. I understand that you are getting complete cooperation from the State Department on this.

MR. COHN. From the Library of Congress and from the State Department now.

MR. CHAIRMAN, I might ask Mr. Browder this question.

Referring again to this book Communism in the United States, by Earl Browder, I note that that is published by International Publishers, which is the same publishing house, Mr. Chairman, that published Mr. Allen's book, which is being used in the State Department information centers.

I will ask you this, Mr. Browder. Is International Publishers the official publishing house of the Communist Party?

MR. BROWDER. I claim my privilege under the fifth amendment.

MR. COHN. Mr. Browder, in this book, Communism in the United States, you state, and I quote, on page 101:

Forward, to the revolutionary struggle of the working class of its immediate needs and its ultimate goal. Organize a mighty mass movement of the workers and farmers, Negro and white, men, women, and youth, to vote Communist on November 8 and to fight every day in the year against capitalism until it is destroyed and a Soviet government rules in the United States.

Did you, at the time you wrote these words, believe that a Soviet government should rule in the United States of America?

MR. BROWDER. My privilege under the fifth amendment.

MR. COHN. Do you today believe that a Soviet government should rule in the United States of America?

MR. BROWDER. I claim my privilege under the fifth amendment.

MR. COHN. You refuse to tell us whether or not you are the Earl Browder who wrote this book, Teheran, which is in front of you. Is that right?

MR. BROWDER. I claim my privilege under the fifth amendment.

MR. COHN. In the year you wrote that book, which is in use by the State Department in its information centers throughout the world, were you the top official of the Communist Party in this country?

MR. BROWDER. I claim my privilege under the fifth amendment.

MR. COHN. Were you at the time you wrote this book engaged in espionage against the United States?

Mr. BROWDER. I claim my privilege under the fifth amendment.

Mr. COHN. Were you at the time you wrote this book seeking to bring about the destruction of the United States Government by force and violence?

Mr. BROWDER. I claim my privilege.

Mr. COHN. Mr. Chairman, I have no further questions of this witness.

The CHAIRMAN. Are there any other questions?

Senator MUNDT. I do not believe I got the name of your attorney. Is your attorney a member of the Communist Party?

Mr. ROGGE. Mr. Chairman, on the question of privilege, I would like to answer that question.

The CHAIRMAN. If you wish to testify, we will have to swear you.

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROGGE. I do.

The CHAIRMAN. You may proceed.

Mr. ROGGE. I am not now, nor have I ever been, a member of the Communist Party.

Mr. COHN. Mr. Chairman, I have no further questions to ask of Mr. Browder, in view of his refusal to answer the questions.

The CHAIRMAN. May I say, in connection with Mr. Rogge, that we have no information of any kind to indicate that he is or has been a member of the party.

Senator MUNDT. There was no such implication. I just wanted to ask him the question.

Senator POTTER. Mr. Browder, this is a matter that I would like to have your comment on. Is it your reaction that when the Duclos letter was issued and you were removed from your position as head of the Communist Party of the United States, and Mr. Foster took your place—do you feel that that policy aided the Communist Party movement, your removal and the changeover from the idea of the co-existence of communism and capitalism? That was the policy, I believe. The Duclos letter, at that time, removed that policy, and do you agree that that did a great deal to stimulate the Communist Party movement in the United States?

Mr. BROWDER. I exceedingly regret that I must keep the consistent attitude and refuse to answer that question, under my rights under the fifth amendment.

Senator McCLELLAN. Mr. Browder, I find here a quotation apparently from one of your books. I would like you to, if you will, identify it, as to whether you are the author of this statement in one of your books:

There is no way out, except by the creation of a revolutionary democracy of the toilers, which is at the same time a stern dictatorship against the capitalists and their agents. There is no way out except by seizing from the capitalists the industries, the banks, and all of the economic institutions, and transforming them into the common property of all under the direction of the revolutionary government.

Are you the author of that statement in a publication under your name as the author?

Mr. BROWDER. I regret that I will not be able to answer any substantive questions of that sort before this committee. I have to claim my privilege under the fifth amendment.

Senator McCLELLAN. You regret that you wrote it?

Mr. BROWDER. I regret that I am unable to answer your question at this time.

Senator McCLELLAN. You are ashamed of it now? Or do you still believe in it?

Mr. BROWDER. On all such questions I will have to claim my privilege.

Senator McCLELLAN. You have a right to claim the privilege, but I believe we have the right to ask the questions. You still insist that you do not want to admit that you are the author of such language?

Mr. BROWDER. I do not want to get myself in the clutches of Senator McCarthy.

Senator McCLELLAN. This is not for Senator McCarthy. That is for the information of the entire Senate and of the world. If you want them to know, if you were sincere in it and believed in it, I do not understand why you would want to deny the authorship of it now.

Mr. BROWDER. I hope that it will be possible someday to clarify all these questions, under conditions different from those that I face today.

Senator POTTER. I fear those conditions.

Senator McCLELLAN. I think that is the trouble. I think we fear the conditions under which you might bring about the establishment of a stern dictatorship.

Mr. BROWDER. I don't think the Senator is really afraid of that in the United States.

Senator McCLELLAN. Well, frankly, I am not. Because I have confidence in the American people.

Mr. BROWDER. I am sure of that.

Senator McCLELLAN. But I am sure the American people, who believe in the institutions of this country, have some apprehensions about those who write such articles with a view of trying to incite revolution in this country.

Mr. COHN. Senator McClellan, I think the record should indicate the passage which you read appears on page 18 of Communism in the United States, which is by Earl Browder, which is currently in use in the State Department information centers.

The CHAIRMAN. Mr. Browder, you may get in bad with the party if you answer this question: Do you think that your books distributed in our libraries throughout the world would help in the fight against communism?

Mr. BROWDER. I am sorry, Senator, I must invoke my privilege under the fifth amendment.

The CHAIRMAN. I may say that if the books written by a leader of the Communist Party and put out under our sponsorship effectively fight communism, you will have difficulty with the party.

You may step down.

Your next witness?

Mr. COHN. Mr. Mandell, Mr. Chairman.

The CHAIRMAN. Mr. Mandell, you are reminded that you are still under oath.

Mr. COHN. Mr. Mandell, would you give us your full name, please?

**TESTIMONY OF WILLIAM MARX MANDELL, ACCOMPANIED BY
HIS COUNSEL, JOSEPH FORER**

Mr. MANDELL. My name is William Marx Mandell. And to save you the trouble of bringing out any possible pseudonym, as you did in the matter of Mr. Auerbach, I would like to make it clear that I am a Jew.

Mr. COHN. That you are what?

Mr. MANDELL. That I am a Jew.

Mr. COHN. So am I, and I don't see that that is an issue here.

Mr. MANDELL. Well, a Jew who works for McCarthy is thought of very ill by most of the Jewish people in this country.

Mr. COHN. Are you a member of the Communist Party?

Mr. MANDELL. My dear sir, I have never consulted with the Communist Party in any manner regarding the writing of the four books I have written.

Mr. COHN. Mr. Mandell, are you a member of the Communist Party?

Mr. MANDELL. I am going to answer your questions, sir, under my privilege under the Constitution, but I am going to answer them in my own way. This is a book burning. You lack only the tinder to set fire to the books as Hitler did 20 years ago, and I——

The CHAIRMAN. We will have no more of that, Mr. Mandell. You will answer the questions put to you.

Officer, I want you to stand by.

We will have no more of this. Mr. Cohn is our chief counsel. He is entitled to normal courtesy. You will answer his questions.

Mr. COHN. Are you a member of the Communist Party?

Mr. MANDELL. I refuse to answer that question under my privilege under the fifth amendment not to be a witness against myself.

Mr. COHN. Have you ever engaged in sabotage against the United States?

Mr. MANDELL. I refuse to answer that question under my privilege under the fifth amendment not to be a witness against myself.

The CHAIRMAN. Just a minute. Do you honestly feel that if you were to tell us truthfully whether you were engaged in sabotage against the United States, that might tend to incriminate you?

Mr. MANDELL. That might tend to incriminate me, but it is in no sense an admission of guilt, because the protection of the fifth amendment is designed to protect the innocent, as anyone who knows history knows.

The CHAIRMAN. The purpose of the fifth amendment is to provide that no man, guilty or innocent, need appear as a witness against himself. It has been used in this country largely to protect the individual against being required to testify against himself. We find now, Mr. Mandell, men like you are using it not to protect the individual but to protect a conspiracy. That is not the intention of the provision. However, you are entitled to invoke that if you tell the committee that you honestly feel that a truthful answer as to whether you have ever engaged in espionage might tend to incriminate you.

Mr. MANDELL. I have given the committee that answer, and I stand by it.

The CHAIRMAN. Have you ever engaged in espionage against the United States?

Mr. MANDELL. I refuse to answer, under my privilege under the fifth amendment not to testify against myself.

The CHAIRMAN. Proceed, Mr. Counsel.

Mr. COHN. Mr. Mandell, you want to talk about some of your writings which are in use by the State Department Information Service today. Let's do that.

The CHAIRMAN. Mr. Counsel, first may I ask: You brought up the question of your name. Normally that would not be important. Have you ever gone under a different name?

Mr. MANDELL. I refuse to answer, under my privilege under the fifth amendment not to testify against myself. And I want to point out that the right to use a pseudonym is a traditional privilege of writers. I have never written a book under any other name.

The CHAIRMAN. Did you ever have a different name which you used in Communist Party meetings?

Mr. MANDELL. The chairman apparently assumes the witness to be stupid. I refuse to answer that question under my privilege under the fifth amendment not to testify against myself.

The CHAIRMAN. Have you participated in Communist Party organization meetings?

Mr. MANDELL. Same answer.

The CHAIRMAN. Did you ask the witness whether he was a Communist as of today?

Mr. COHN. Yes, I did. He has declined to tell us whether he is a member of the Communist Party today.

The CHAIRMAN. Let me ask you, Mr. Cohn: You have established the fact that his books have been purchased by the information program and were used in some of our libraries?

Mr. COHN. They are currently in use in some of our libraries, Mr. Chairman. We now know of at least two writings of Mr. Mandell that are in use. One is Soviet Far East and Central Asia. There is another one I would like to ask Mr. Mandell about right now.

Did you write something like Democratic Aspects of Soviet Government Today, which was published in the American Sociological Review in June of 1934?

Mr. MANDELL. I did; yes, sir.

Mr. COHN. Mr. Chairman, excerpts from that, as set forth in a book called Understanding the Russians, are being used by the State Department information centers today. And I would like to read from page 29 of that.

The CHAIRMAN. Mr. Cohn, may I interrupt now?

For the benefit of the other members of the committee, who were not present at the executive session, this is the witness who threatened the committee that he would attack the committee if he were to lose his job. I think the committee should know of that. Not that it is of any great significance. One more Communist attacking the Government means nothing more or less to the committee.

Mr. MANDELL. Would you care to have me comment on that?

The CHAIRMAN. No, we do not care what attacks you make.

What is your job, incidentally, as of today? Where do you work?

Mr. MANDELL. The members who were present yesterday at the executive session know that.

The CHAIRMAN. Where do you work?

Mr. MANDELL. You will get your answer.

The CHAIRMAN. You will answer the question. Where do you work?

Mr. MANDELL. You will get exactly that answer, Mr. Chairman.

The CHAIRMAN. I am going to have you removed unless you answer the question. After you answer the questions, you can make any speeches you care to. But you must answer where you work today.

Mr. MANDELL. In that case, I will answer it first. I am employed as a copywriter by L. W. Frohlich & Co., 76 East 52d Street, New York City.

The CHAIRMAN. Now make any speech you care to.

Mr. MANDELL. Certainly. It was known to the members of the committee who were present yesterday, and everyone here now knows, that my present employment has nothing whatever to do with the purposes of this committee. I asked the committee yesterday, in the spirit of fairness, which I doubted it had, not to place my job in jeopardy for that reason. One of the committee members, either the chairman or one of the gentlemen, whom I do not recognize offhand, then indicated that I should be willing to pay the price for the activities in which I engage. That was an admission by the committee that it has arrogated itself the right to exact punishment, although it is not a court of law and deprives one of due process of law. That punishment has ranged from fines ranging from several thousand dollars in the case of people dismissed up to the fact that you, Senator McCarthy, murdered Maj. Raymond Kaplan by forcing him, by driving him to the point where he jumped under a truck, although everybody knows about that thing, that there was nothing that could possibly have merited even the most unimportant punishment for that man. That was my reason.

The CHAIRMAN. May I say, Mr. Mandell, that when you refused to tell the committee whether you are engaged in espionage as of today and sabotage as of today, and you assure the committee that if you told the truth it might incriminate you, I think your employers should know that.

Mr. MANDELL. Fine.

The CHAIRMAN. If any man is committing sabotage or espionage against his own country, that should be public information.

Mr. MANDELL. I made no admission of committing sabotage or espionage at any time, or today.

The CHAIRMAN. Mr. Mandell, when you say, "If I told the truth I might go to jail," that is in effect what you are saying. You said if you told the truth it would incriminate you. If you do not feel that that would incriminate you, you have no privilege to refuse to answer.

Mr. MANDELL. You should know very well, Mr. Senator—

The CHAIRMAN. May I say for the benefit of the other members of the committee: On the Kaplan matter, we went to New York, counsel and myself, and we interrogated witnesses and put them under oath. We found that Mr. Kaplan would have been a friendly witness insofar as this committee was concerned. He had expressed the desire to appear and testify before this committee, to give the facts. He had no fear of this committee whatsoever. He was not the type of witness we have here. We went through his files and we found that apparently there was no wrongdoing on his part; that he had attempted to have the Baker West station located in the proper place, and unsuccessfully; and the coworkers of Mr. Kaplan very, very seriously

questioned, as counsel will recall, that he committed suicide. They seem to think that was impossible under the circumstances, that they can see no reason for it. Their testimony under oath was that at 5 o'clock in the afternoon the day he died he called his office and told them about this important work he had to do that evening and asked them to extend his travel orders, certainly not the act of a man who is about to commit suicide.

But we will proceed. I thought the other members of the committee would want to know that.

Mr. MANDELL. Mr. Kaplan wrote a letter, which was quoted in the New York Times—

Mr. COHN. What are you quoting?

Mr. MANDELL. I am quoting certain portions, and the rest I am entirely willing to have entered into the record.

The CHAIRMAN. Mr. Mandell, when counsel asks you a question, you will answer it.

Mr. COHN. I think we have already entered the entire letter as an exhibit. And in this case, I think we should have the entire letter, or nothing.

The CHAIRMAN. The letter has been received in evidence.

Mr. MANDELL. I am sorry. I don't understand, Mr. Chairman. Am I or am I not at this moment permitted to continue what I started to read?

The CHAIRMAN. We are not asking you to read Kaplan's confession. We have Kaplan's confession before us; that is, the alleged confession. You will answer the question that counsel asked of you.

Mr. COHN. I want to read to you in its entirety a paragraph which is published in this book, Understanding the Russians. It is entitled, "The Role of the Communist Party."

The Communist Party differs in many respects from western concepts of a political party. It has no monopoly of the right to nominate, nor of the membership of even the highest elective bodies, while its members form a minority in the lower legislative organs. It regards elections as a demonstration of public unity on issues, rather than on men, and does its utmost to secure unanimity on candidates through "primaries" which take the form of public mass meetings, even when this means withdrawing its own candidates in favor of individuals who are not party members, or, as is more generally the case, advancing no candidate of its own when a nonparty person is obviously what we would call the logical candidate. For these reasons, and because of the well-remembered fact of recent history that all other parties place themselves beyond the pale by armed rebellions which come under the heading of treason by any definition, it is regarded by the populace, in my experience, not as a monopolist political party preventing the emergence of others, but as the organization of the most public-spirited and, in fact as well as in theory, most self-sacrificing citizens.

My question, Mr. Mandell, is: Do you think today that the Communist Party is the organization of the most public-spirited and self-sacrificing citizens in the United States of America?

Mr. MANDELL. That statement was about the Soviet Union.

Mr. COHN. Do you believe that the Communist Party of the United States today is the organization of the most public-spirited and most self-sacrificing citizens?

Mr. MANDELL. If the first amendment still obtained in American law, I would answer that question directly. Under the circumstances I have to rely on my privilege under the fifth amendment, as I have stated that earlier.

Mr. COHN. Do you think that the form of government in the Soviet Union is better than the form of government in this country today?

Mr. MANDELL. I think you gentlemen would be exceedingly interested——

The CHAIRMAN. You will answer the question.

Mr. MANDELL. I will answer it. Under Secretary of State Walter Bedell Smith——

Mr. COHN. No, you can answer that "yes" or "no."

Mr. MANDELL. I will answer it "yes" or "no" or otherwise eventually, and you will get an answer.

Mr. COHN. Do you have to wait until "eventually"?

The CHAIRMAN. It is just a simple question. You will answer it "yes" or "no." And again, we have been giving you people a great deal of latitude. You may continue to make any speech you want to after you have given your answer. You may first give your answer.

Mr. MANDELL. Fine. In that case, I will answer again under the fifth amendment, although I am very reluctant to do so and would much prefer to state my honest opinion.

The CHAIRMAN. You are refusing to answer to whether you think the Communist form of government is superior to ours.

Mr. MANDELL. Correct, sir.

The CHAIRMAN. And do you honestly feel if you told us the truth in answer to that question, that might tend to incriminate you?

Mr. MANDELL. That is my understanding of certain laws now on the books.

The CHAIRMAN. Do you honestly feel that if you were to answer that question truthfully, that would tend to incriminate you?

Mr. MANDELL. That is my understanding, under laws now on the books.

The CHAIRMAN. Is it your understanding that it might tend to incriminate you?

Mr. MANDELL. That it might tend to incriminate me.

The CHAIRMAN. You are entitled to the privilege.

Mr. MANDELL. Thank you, sir.

In explanation of the answer——

The CHAIRMAN. There will be no explanation of your answer.

Mr. MANDELL. Good enough.

The CHAIRMAN. If you are refusing to answer, you will not explain it. Where you give an answer, you can explain your answer.

Proceed, Mr. Counsel.

Mr. COHN. Now, the next question is this: Do you believe the cause of the United States and the United Nations in Korea today is a just cause?

Mr. MANDELL. As I told the McCarran committee last year, I think the job is to stop the war and get out. It will serve no purpose whatever to rehash things over which passions have raged for 2 years.

The CHAIRMAN. Mr. Mandell, you will first answer the question, and then you can explain your answer.

Mr. COHN. Do you think the cause of the United Nations and the United States in Korea is a just cause?

Mr. MANDELL. I do not, and here is my explanation. In the New York Herald Tribune on November 1, 1949, there was an interview with a minister of the Armed Forces of South Korea, Mr. Sin. He said:

"If we had our own way, we would, I am sure, have started up already"—South Korea—"but we had to wait until they"—American Government leaders—"are ready. They keep telling us, 'No, no, no, you are not ready.' Mr. Sin continues, 'We are strong enough to march up and take Pyongyang, the northern capital within a few days.'" The end of the story is:

Mr. Sin came to Tokyo last week and saw Gen. Douglas MacArthur and other high American officials.

Now, on June 15, 1950, just 14 or 15 days before the outbreak of the war, apparently we were ready. General Roberts, chief of the United States military mission in Korea, said as follows, in a presentation interview. I quote him:

In Korea the American taxpayer has an army that is a fine watchdog over the investments placed in this country.

That is what we are fighting for. My interjection there.

The United States military advisory group was a living demonstration of how 500 combat-hardened American men and officers can train 100,000 people who will do the shooting for you.

The Asians appreciate that, I am sure. My interjection again. I continue.

I have at least 12 or 14 Americans with each division. They work with the Korean officers.

The CHAIRMAN. There will be no more of that. If you want to insert a newspaper article in the record, it will be received.

Mr. MANDELL. Fine. There it is.

Senator DIRKSEN. Mr. Mandell, may I inquire: Obviously, your private views are your own, but I was a little curious about this. I would assume offhand that to do a book like *The Soviet Far East and Central Asia*, and to do it authentically, you would have to travel some over there. Did you travel in that area?

Mr. MANDELL. I was in the Soviet Union. I was not in that area. Einstein was never inside the atom. He seems to be able to understand it.

Senator DIRKSEN. Well, I did not ask for any levity. I was asking a fair question. Because if a man writes, and writes authentically, on some subject, he either depends on secondhand sources in the library, or he goes and interviews people on the ground.

Mr. MANDELL. Sir, I have lived all my life in this country, but for 1 year in Russia. I was born here. I do not think that I am as competent to write a book on the United States—and I have traveled widely in this country—I do not think that I am as competent to write a book on the United States as I am to write a book on Russia, because to write a book about a country requires more than living in it, traveling in it, even if one has pretty good eyes. One has to study a country. One has to use all its scholarly and other resources. And I have had the privilege of utilizing one of the finest collections in this country, the collection of the Herbert Hoover Institute at Stanford University, which engaged me as a fellow, on the basis of books I had previously written, including that book, which it deemed sufficient to merit my engagement as an expert on Russia.

The CHAIRMAN. Did you go to the Lenin School when you were in Moscow?

Mr. MANDELL. I was 14 years of age when I went there. I went to Moscow State University and studied biochemistry.

The CHAIRMAN. The question is: Did you ever attend the Lenin School?

Mr. MANDELL. No, sir; I don't even know where it is.

The CHAIRMAN. What schools did you attend in Moscow?

Mr. MANDELL. I attended the Moscow State University and studied biochemistry. My records are on file in New York.

The CHAIRMAN. For 1 year?

Mr. MANDELL. For somewhat less than 1 year.

Senator DIRKSEN. I notice in connection with your name on the title sheet there is carried this legend: "Research Associate, American Russian Institute." Are you free in mind to indicate to the committee what the American Russian Institute is?

Mr. MANDELL. The American Russian Institute is not. It was dissolved some years ago.

Senator DIRKSEN. It does not exist now?

Mr. MANDELL. It does not exist.

Senator DIRKSEN. What was it when it did exist?

Mr. MANDELL. The American Russian Institute, to the best of my knowledge and belief, and I worked for them I think 3 years, was an organization devoted to gathering factual information on Russia, and an organization which went out of its way to avoid pressures from either side, including the left, to interpret factual data on Russia in a prejudicial manner.

Senator DIRKSEN. Now, I notice also that it is labeled "IPR Inquiry Series," so I assume this book was one of a series by the Institute of Pacific Relations.

Mr. MANDELL. It was.

Senator DIRKSEN. Would that be correct?

Mr. MANDELL. That would be correct.

Senator DIRKSEN. Then I notice that it was probably published by the International Secretariat, Institute of Pacific Relations, Publications Office, 1 East Fifty-fourth Street, New York. Were they the publishers?

Mr. MANDELL. To the best of my knowledge, they were.

Senator DIRKSEN. The printing evidently was done by the Haddon Craftsmen, Inc.

Mr. MANDELL. I assume that. I read it. I had nothing to do with it.

Senator DIRKSEN. Now, if this has gotten off the track a little, I think we ought to get back, and I think we ought to make clear what the purpose of the inquiry is. If you refuse to answer it under the fifth amendment privilege, all right. You do have that privilege, and if you come within the rule, nobody quarrels about it. But what we are quarreling about, if we are quarreling, is this: Here are a variety of authors in a variety of books that have been purchased——

The CHAIRMAN. Will you hand the young lady the article from which you were reading?

I am sorry, Senator.

Senator DIRKSEN. Starting in 1947, Congress created an International Information Service. It embraces motion pictures; it embraces books and libraries; it embraces some \$21 million of expenditure for the Voice of America. It has a very definite objective. The objective is to combat communism. If it were not for that, Congress cer-

tainly never would have approved such an outlay of funds. Now, we find that this organization has purchased books that have been authored by Mr. Browder, that have been authored by Mr. Allen, and books, or a book, unless there are more, authored by you. The question is: Is it a proper, is it an efficient, outlay of public funds, when books after you examine them give you a clear impression that they do everything except set up the free ideal as we understand it?

Do you think that is a justifiable expenditure?

MR. MANDELL. Sir, I dropped into my public library in New York several months ago to ask the librarian why one of my books, which I had given to that library, was not on the shelves, and the lady began by stating—other books were on the shelves—the lady began by stating that the book had not been properly processed downtown at the main library. And then I happened to notice just where we were standing. There were a large group of books on Russia. And being well acquainted with the subject, it was quite obvious that these books, not on a shelf, but piled as though they were in process of being moved, were the type of books which I believe to be objective. And I might say they were books written by people, most of whom would gladly tell you that they were not and never were members of the Communist Party. And so I asked the lady, "Why are those books there?" She said, "Well, they were written at an earlier time, during the war," and that the library was in process of removing them, removing from the shelves those books, which represented the honest opinions of Americans, including very prominent Americans, about Russia during the war. That, I contend—you will very possibly challenge this—that, I contend, represented a reflection of the book burnings, the witch hunts, of which I believe this hearing is a part.

Now, in that connection, as far as your question relative to public funds is concerned: In the first place, I understand that the chief objective of this hearing is to get the rest of the books off the shelves here at home. I will answer your question directly.

Senator DIRKSEN. Well, let me interpose. I think your answer is completely at variance with the fact. And I would not know of any fact that would substantiate an answer like that, frankly.

MR. MANDELL. Fine. Then the public will have to judge.

Now I will answer your question directly. A previous witness whom I had the privilege of hearing this morning testified that he opposed the Voice of America program completely as part of the cold war. I would express that also as my opinion, but I would go further and state that the Voice of America, or whatever the exact title is—I am not up on those things as you gentlemen are—whichever group it was that purchased these books and used them—and, by the way, I am not aware of having earned one penny from the purchase of those books by this committee—the Voice of America in using those books quite obviously wanted to transmit to other countries the idea that in America it is still possible to express more than one point of view. And from the Voice of America and State Department viewpoint, that is rather slick propaganda. Frankly, I think it is untrue propaganda. It is untrue propaganda when I find my books taken off the shelves here at home and the same books offered abroad to indicate my books are available. But, at all events, I don't presume to judge whether it is a justified expenditure of public funds or not.

Senator DIRKSEN. Well, now, Mr. Mandell, there is only one thing wrong with your analogy, and that is this. No. 1, when you speak of books in the New York public library, they are purchased with funds that are made up by the citizens of New York out of their own library fund. They are not Federal funds. The second thing wrong is this: If a library wants to stock those books, that is their business. But we are dealing here with the stocking of books in foreign countries where we have a problem, namely, the controversy and the conflict between the Communist ideology and the ideology of the free world. And I think we are in the very unhappy position of attorney for the plaintiff seeing the cause made for the defendant in the case with things that are written by native-born American authors, paid for by public funds, and sent abroad where formative minds can get a wholly different and unobjective concept of America. That, in my judgment, just does not make good logical sense.

And so, my whole purpose here is to first establish the fact that these books have been purchased for the libraries abroad and secondly, that by their very content, they are the very antithesis of what we have been trying to establish as the doctrine of the free world.

Now, one other thing. Let me have that, please. And certainly I do not want to be invidious, but here is a document that was gotten out by the House committee, and it shows the American Russian Institute of Southern California at Los Angeles cited as communistic, and the authority for that is Attorney General Tom Clark, letter to the Loyalty Review Board released April 27, 1949.

Now, on the second page of the book is an indication that you were a research associate for the American Russian Institute. Now, sitting up here, what would you make of that situation?

Mr. MANDELL. A few facts, Senator, on that matter: The first is that the American Russian Institute of New York and the American Russian Institute of Southern California were not only distinct organizations but very often disagreed with each other insofar as their activities bore on the same general subject.

In the second place, the listing of organizations by Tom Clark or whatever other Attorney General was a purely arbitrary matter, not conducted with an opportunity for these organizations to defend themselves. And I simply deny the validity of the whole business.

Senator DIRKSEN. Well, now, let us answer the first part of that.

Mr. MANDELL. Yes, surely.

Senator DIRKSEN. The American Russian Institute of New York, cited in a letter by the Attorney General, dated April 27, 1949, as communistic; the American Russian Institute of Philadelphia, similarly cited in a letter by the Attorney General. And he is, after all, the appropriate official in government who is charged with making the survey and then making a determination of that question.

Now, there are three chapters of the American Russian Institute so cited. Are there more?

Mr. MANDELL. To the best of my knowledge, the organization now exists in San Francisco and Los Angeles alone, and these were, to the best of my knowledge, and still are, separate from each other, as they were separate from the New York organization.

Senator DIRKSEN. Well, now, was there a parent American Russian Institute?

Mr. MANDELL. There was not; no, sir.

Senator DIRKSEN. In other words, they were cubical, so to speak, in Philadelphia, Los Angeles, and New York.

Mr. MANDELL. They were what?

Senator DIRKSEN. They were just, I suppose, components.

Mr. MANDELL. No, they were not. The reason I make this point, sir, since I happen to have been working for the New York American-Russian Institute—the American-Russian Institute made it its business never to express its opinion on matters of fact. It took no part in these things. Whereas these other organizations saw fit—and I think it was their right as American citizens if they so decided—to express their opinions on American-Russian relations.

Senator DIRKSEN. Your book does not indicate which of these institutes you served as a research associate?

Mr. MANDELL. The only one which is called the American Russian Institute, period, is the one in New York, or was the one in New York, as long as it existed.

Senator DIRKSEN. I find several here, but I find none standing alone disassociated from some locality, like New York. So if it is the one that was in New York, is that the one you belonged to?

Mr. MANDELL. I answered that, and I will repeat it again: That it was the American-Russian Institute of New York, and separate and distinct from any of these other bodies.

Senator DIRKSEN. Well, now, my dear sir, I must say that it is cited by the Attorney General, on April 27, 1949.

Mr. MANDELL. If it is, then I can merely add what I added before, that in my opinion the entire idea of any branch of government arrogating to itself under law the right to describe organizations as organizations which American citizens may not belong to, essentially, is in violation of the provision of the Constitution which guarantees the right of freedom of assemblage. That is my opinion.

Senator DIRKSEN. Well, to wind it up, this proceeding, of course, addresses itself to a very basic thesis, and that is this: We do believe it is wrong to spend millions of dollars of public funds for informational service and have it include works by authors who address themselves with vigor to the Communist ideal and put those in the hands of students and others in libraries all over the world, as a part of the American case. Do you think that makes sense, as a matter of fact?

Mr. MANDELL. As far as it applies to me, sir, I should like to point out to you that the books of mine which you have do not address themselves with vigor to the Communist idea. The books of mine which you have are books in which I state facts, as I believe them to be true, and in which I draw few, if any, conclusions. Certain of the other books before you may take on another character, but insofar as I am the author, those books are written from the viewpoint of a scholar who, at that time, was held in rather high esteem by non-Communist and nonleft scholarly institutions.

Senator DIRKSEN. Would you feel free to make a similar answer, for instance, with respect to Mr. Browder's book? You do not have to.

Mr. MANDELL. I would rather not.

Senator DIRKSEN. And what about the books by Mr. Allen?

The CHAIRMAN. Mr. Dirksen, you asked him a question in regard to Browder's books. I think he should be required to answer, unless he thinks the answer would incriminate him.

Mr. MANDELL. It wouldn't incriminate me; no, sir.

Senator DIRKSEN. I won't press the question. I think the book will speak for itself.

Mr. MANDELL. It will.

Senator DIRKSEN. But I might ask you whether you would care to express a similar view as to the works of Mr. Allen.

Mr. MANDELL. I am sorry to say I would rather not express an opinion.

Senator DIRKSEN. Do you know Mr. Allen?

Mr. MANDELL. I met him yesterday afternoon outside the place, here.

Senator MUNDT. Referring to this pamphlet which you sent up as part of your testimony, I notice you have detached the first page.

Mr. MANDELL. Yes, sir.

Senator MUNDT. That is in the form of an anonymous pamphlet. Would you care to tell who published this?

Mr. MANDELL. The back page will tell you. The pamphlet is entitled "Man Bites Dog," which is a newspaperman's phrase, and it was somebody's idea of how to describe my testimony before the McCarran committee last year. It was published by a weekly magazine called the National Guardian.

Senator MUNDT. The National Guardian?

Mr. MANDELL. That is correct, sir.

Senator MUNDT. The National Guardian is a Communist magazine?

Mr. MANDELL. I don't know that anybody has called it that in an official finding.

Senator MUNDT. Is it your testimony that it is not?

Mr. MANDELL. To the best of my knowledge and belief, the National Guardian is not a Communist publication. I can illustrate that, for example. As far as I know, the Communists would probably be strongly opposed to any favorable reference to the last previous witness, Mr. Browder. And I read in the National Guardian recently a letter of his appealing for, I think, financial aid to conduct his defense against one of the things that came up before. And many similar things. I remember also—

The CHAIRMAN. Just a moment. You say they are not Communist because they carry Earl Browder's works. I do not follow your reasoning. You say one of the reasons you think it is not a Communist magazine is because it carries the work of Earl Browder.

Mr. MANDELL. I said it carried a letter from him asking for financial support in this kind of thing.

The CHAIRMAN. That would be excellent proof that it was not Communist?

Mr. MANDELL. To me it would be.

Senator DIRKSEN. Mr. Mandell, I have only one other question.

The CHAIRMAN. May I say, incidentally, that this will not be received until you supply the entire pamphlet.

Mr. MANDELL. I was not officially asked for it. If I am, I will supply it.

The CHAIRMAN. We told you we would receive it. We will not receive it mutilated.

Mr. MANDELL. Perfectly all right. I did not have a complete copy here.

The CHAIRMAN. You will supply a copy?

Mr. MANDELL. I will supply a copy.

Mr. COHN. Has the National Guardian been conducting quite a vigorous campaign in defense of the convicted atom spies?

Mr. MANDELL. Who are you referring to?

Mr. COHN. Julius and Ethel Rosenberg.

Mr. MANDELL. I wanted to make that clear.

The convicted what?

Mr. COHN. Atom spies.

Mr. MANDELL. Do you know your law, Mr. Cohn?

Mr. COHN. I prosecuted the case.

Mr. MANDELL. What were those people convicted of?

Mr. COHN. They were convicted of conspiracy.

Mr. MANDELL. And conspiracy is not espionage.

Mr. COHN. They were convicted of conspiracy in an effort to deliver atom secrets to representatives of the Soviet Union.

The question is: Is the National Guardian today conducting a vigorous campaign asking for the release of the Rosenbergs?

Mr. MANDELL. The National Guardian, to the best of my knowledge and belief, and I am not an editor or member of its staff—

Mr. COHN. Do you read it?

Mr. MANDELL. I read it. The National Guardian, to the best of my knowledge and belief, is conducting a vigorous campaign asking for executive clemency in that case, in that scientists have said that Greenglass, a stool pigeon, could not have remembered the material he said he remembered.

Mr. COHN. You say that is related to a request for clemency?

Mr. MANDELL. I may be mistaken about that. That is my recollection.

Mr. COHN. Do you think the Rosenbergs were guilty?

Mr. MANDELL. Unlike a great many people who are taking an active part in that campaign, and who have read the transcript of the trial from beginning to end, and who have drawn a conclusion that they are not guilty, I, as a scholar, will not offer an opinion, because I have not read a transcript from beginning to end. However, I do think that the offering of a death sentence in peacetime is unjustified, and I do think, to return to an earlier matter, that it is rather typical of a situation existing in this country, that the first two people ever to get the death sentence in peacetime for this crime happened to be Jewish.

Mr. COHN. Let me ask you this: You say, to show that the National Guardian is not Communist-dominated, that they published an appeal for Earl Browder. Was not the Daily Worker itself sympathetic to Earl Browder in articles published following his indictment for perjury?

Mr. MANDELL. I do not know.

Mr. COHN. Do you read the Daily Worker?

Mr. MANDELL. There, indeed, we have to return, although it is very unfortunate for a scholar to have to do this—I have, under today's circumstances, to return to the fifth amendment and say that I have to refuse to answer that question under the fifth amendment to the Constitution, which protects me against self-incrimination.

The CHAIRMAN. This is the second time that the witness has brought up the word "Jewish." He tries apparently to hold himself out as a representative of the Jewish people.

Mr. MANDELL. No, sir—

The CHAIRMAN. Be quiet, now, until I finish.

Mr. MANDELL. I am sorry.

The CHAIRMAN. I think he is not qualified to do that. I think the Jewish people is a great race of people. I do not think you represent them. I think you do them a great injustice when you come up here and try to inject into the scene the fact that you happen to be of that great race of people. Each race has its renegades.

Mr. MANDELL. It certainly does.

The CHAIRMAN. Each race has its traitors.

Mr. MANDELL. It certainly does.

The CHAIRMAN. And, as a whole, we have gotten as much if not more help from outstanding Jewish people in this fight against communism than any other race. Let us have that clear.

Mr. MANDELL. You have probably gotten as much opposition from Jews as any other race, so we are even on that account, if not more so.

The CHAIRMAN. You were not asked what your race was. You came up and volunteered it belligerently. I do not care what race you belong to.

Mr. MANDELL. I doubt that, sir.

The CHAIRMAN. I think some of the Jewish people will be very much ashamed of the fact that you belong to their race.

Mr. MANDELL. A very small minority, sir.

The CHAIRMAN. Let me ask you this question. You testified that you felt our cause in South Korea was unjust. Do you feel the cause of the Chinese Communists and the North Koreans is a just cause?

Mr. MANDELL. Exactly as just as it would be for us to invade Mexico or Canada if they had come into those countries as we came into South Korea.

The CHAIRMAN. Do you feel that the cause of the Chinese Communists is a just cause?

Mr. MANDELL. I feel it is, but I think the war should be ended where we are now, with a complete exchange of all prisoners. Because that is what the American people want at the present time.

The CHAIRMAN. Do you feel that the Russian Communist system is superior to our system?

Mr. MANDELL. As I answered earlier, that is something I would be happy to give a candid answer to, if I still felt the protection of the first amendment to the Constitution.

But since that no longer applies, I must reply that I will refuse to answer under the fifth amendment, which protects me against self-incrimination.

The CHAIRMAN. In other words, I understand your answer to be that you refuse to tell us whether you consider the Russian Communist system superior to ours, on the grounds that if you told us the truth, your answer might tend to incriminate you. Is that your answer?

Mr. MANDELL. On the grounds that the Smith Act, which I believe to be unconstitutional, might be used against me on that basis.

The CHAIRMAN. If that is your ground, you will be ordered to answer.

Mr. MANDELL. In that case, I will answer that it might tend to incriminate me, under the act I have mentioned, which provides for conspiracy to teach things, of all things in the United States.

The CHAIRMAN. You have quoted from certain newspapers. Do you know any Communist Party members on any newspapers?

Mr. MANDELL. To the best of my knowledge I do not.

The CHAIRMAN. To the best of your knowledge you do not. How about this pamphlet that was put out with the flyleaf torn off, printed, you say, by the National Guardian. Do you know any Communists in that organization?

Mr. MANDELL. I know a number of the members of the staff, and I haven't the vaguest idea as to whether any of them are Communists or not.

The CHAIRMAN. Let me ask you this: Have you recently attended any Communist Party meetings?

Mr. MANDELL. I will return, of course, to the fifth amendment.

The CHAIRMAN. You refuse to answer on the ground it might incriminate you?

Mr. MANDELL. That is exactly it.

The CHAIRMAN. At those meetings do you and other members of the party use your own name, or different names?

Mr. MANDELL. Here we go again. Fifth amendment, sir.

The CHAIRMAN. Let me ask you this: Did you ever use a name other than your own in a Communist Party meeting?

Mr. MANDELL. Fifth amendment, same basis.

The CHAIRMAN. Do I understand you tell us that you feel if you told the truth and told us whether you used another name at a Communist Party meeting, that might tend to incriminate you?

Mr. MANDELL. Exactly. It might tend to incriminate me.

Mr. COHN. I have nothing further.

The CHAIRMAN. I think that is all.

Senator DIRKSEN. Mr. Mandell, I have one other question, and that is this: Suppose you were a member of this committee, and the jurisdiction is to examine into the efficacy of the expenditure of funds and the efficacy of the operation. Would you regard this as a very improper exploration if you were up here?

Mr. MANDELL. If I were a member of this committee, I would regard it most important to discover how Senator McCarthy saved 170,000 bucks on a \$15,000 salary.

Senator DIRKSEN. Now, I hope you will be responsive to the question and not indulge in personalities.

The CHAIRMAN. May I say to the witness: Yesterday you threatened this committee if we exposed you. If you put on a campaign against the committee, you will not put on the campaign within the committee room. You can do all the name-calling you want to after you leave. One more Communist calling names means nothing.

Mr. MANDELL. Poor Senator McCarthy. You can dish it out, but you can't take it. O. K.

Senator DIRKSEN. Under the circumstances that I recited, would you regard this as an improper exploration by the committee, charged as it is, under the rule?

Mr. MANDELL. Will you read me the rule? I really don't know.

Senator DIRKSEN. Well, the committee has a very large jurisdiction.

The CHAIRMAN. Senator Dirksen, may I suggest that I, for one, am not here to get the advice of a man who says, "I won't tell the truth. I am afraid to tell the truth about whether I am an espionage agent or

am engaged in sabotage," who says the Russian system is better than the American system. I don't care to sit here and listen to his advice as to how the committee should be run. You may continue if you care to.

Senator DIRKSEN. I would like to get an answer to this, because there has been criticism ventilated in the press, as everybody knows.

Would you regard this as an improper activity on the part of the committee, under the committee rule, the committee being charged with this responsibility?

Mr. MANDELL. To the degree that this committee must have the job of pressuring librarians to take books out of the files, I would say so.

Senator DIRKSEN. How does that help us to deal with the responsibility with which we are charged?

Mr. MANDELL. That is your responsibility, sir.

Senator DIRKSEN. So you take an out on that?

Mr. MANDELL. Yes.

Senator DIRKSEN. That is all.

The CHAIRMAN. Step down.

We will adjourn until tomorrow morning at 10:30.

(Whereupon, at 12:32 p. m., the hearing was recessed until Wednesday, March 25, 1953, at 10:30 a. m.)

STATE DEPARTMENT INFORMATION PROGRAM— INFORMATION CENTERS

WEDNESDAY, MARCH 25, 1953

UNITED STATES SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:30 a. m., in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator John L. McClellan, Democrat, Arkansas; Senator Stuart Symington, Democrat, Missouri.

Present also: Roy Cohn, chief counsel; Donald Surine, assistant counsel; David Schine, chief consultant; Daniel G. Buckley, assistant counsel; Ruth Young Watt, chief clerk.

The CHAIRMAN. The committee will come to order.

Who is your first witness, Mr. Cohn?

Mr. COHN. The first witness, Mr. Chairman, is Professor Budenz.

The CHAIRMAN. Mr. Budenz, will you take the stand? Will you raise your right hand and be sworn? In this matter now in hearing, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BUDENZ. I do.

The CHAIRMAN. Before Mr. Budenz testifies, I have an announcement to make.

The State Department informs me that within the past week they have ordered that all books by Communist authors be removed from the United States information centers. I think this is an excellent order. It is another example of the attempt by the new team to clean up a very sorry situation.

I believe that we should proceed, however, with the matter of disclosing the number of Communist authors that have been used, and who have been responsible for the wide use of Communist authors in information centers. We want to find out who is responsible, in Government, and why.

Mr. COHN. Would you give us your full name, please?

TESTIMONY OF LOUIS FRANCIS BUDENZ

Mr. BUDENZ. Louis Francis Budenz.

Mr. COHN. Professor Budenz, you are here today following the service of a subpoena on you compelling you to come and testify. Is that correct?

Mr. BUDENZ. That is correct.

Mr. COHN. Which subpoena was served in New York last week?

Mr. BUDENZ. That is right.

Mr. COHN. Will you give us your present occupation, please?

Mr. BUDENZ. I am a member of the faculty of Fordham University and Seton Hall University.

Mr. COHN. For how long a period of time have you been on the faculty of Fordham University?

Mr. BUDENZ. This is my seventh teaching season.

Mr. COHN. And you are assistant professor of economics. Is that correct?

Mr. BUDENZ. That is correct.

Mr. COHN. Now, Professor Budenz, were you ever a member of the Communist Party?

Mr. BUDENZ. Yes, sir.

Mr. COHN. From what year until what year?

Mr. BUDENZ. From 1935 until 1945.

Mr. COHN. At the time you left the Communist Party in 1945, did you hold any official position in the Communist Party?

Mr. BUDENZ. Yes, sir, I did.

Mr. COHN. What position was that?

Mr. BUDENZ. I was managing editor of the Daily Worker and president of the Freedom of the Press Co., Inc., which controlled the Daily Worker for the Communist Party. I was also an alternate member of the national committee at that time. That is just prior to my leaving.

Mr. COHN. During the 10 years you were in the Communist Party, did you hold any other high position in the Communist Party?

Mr. BUDENZ. Yes, sir. I was a member of many commissions, chairman of the publications commission, a member of the national trade-union commission, a member of the State committees in Illinois and New York. There were a number of commissions that I was a member of, and I was also for a number of years a member of the national committee.

The CHAIRMAN. May I interrupt, Mr. Cohn?

I think we should have the record very clear that Mr. Budenz has been of almost untold value to the FBI and to the Government since he has broken with the Communist Party. If it had not been for Mr. Budenz' testimony, a sizable number of Communists who have either been deported or sent to jail would still be free.

I think it is a great service you have rendered to this country, Mr. Budenz, since you broke with the party.

Mr. BUDENZ. Thank you, Senator.

Mr. COHN. As a matter of fact, Mr. Budenz, you were the first and the principal witness for the United States Government at the trial of the 12 top Communist leaders in New York a few years ago, and once again you were the first and principal witness at the trial of the 13 second-string Communist leaders who were just convicted by a jury in New York a few weeks ago. Is that correct?

Mr. BUDENZ. Yes, sir. And, as a matter of fact, the indictment was passed upon my analysis of the constitution of the Communist Party, made for the Federal Bureau of Investigation, though I did not know it was to be used for that purpose at that time.

Mr. COHN. And you have given, with no compensation, thousands of hours of your time to the Federal Bureau of Investigation. Is that right?

Mr. BUDENZ. Yes, sir; very gladly. I consider it the soundest agency of the Government.

Mr. COHN. I think we all do.

Now, Professor Budenz, you told us that at the time you left the Communist Party in 1945, you were the managing editor of the Daily Worker. What is the Daily Worker?

Mr. BUDENZ. The Daily Worker is the official daily organ of the Communist Party. It is actually the telegraph agency for giving directives to the party leaders and subleaders throughout the country.

Mr. COHN. And as managing editor, were you the top official of the Daily Worker?

Mr. BUDENZ. Yes; I was, except that I had to be responsible to the Politburo; that is the governing bureau of the Communist Party.

Mr. COHN. They would issue instructions controlling the party press. Is that correct?

Mr. BUDENZ. Yes, sir. Definitely. Every day.

Mr. COHN. When you were editor of the Daily Worker, were you free to print whatever you wanted to print, or did you have to conform to some kind of policy?

Mr. BUDENZ. You have to conform very rigidly, as a matter of fact, to a policy set down by the Politburo, which, of course, was always in conformity to the policies of Moscow.

Mr. COHN. Now, you were a member of the party for 10 years, and you held very high office in the Communist Party. Did the Communist Party teach and advocate the overthrow of the United States Government by force and violence?

Mr. BUDENZ. Yes, sir. That is the basis of the Communist Party, as Stalin says in *The Foundations of Leninism*, "The Communist Party is the instrument for the bringing about the dictatorship of the proletariat." And the dictatorship of the proletariat can only be brought about, said Lenin and Stalin, by the violent shattering and smashing of all non-Communist governments, including specifically the Government of the United States. As a matter of fact, so much is it the task of the Communist Party to bring about this violent smashing and the dictatorship of the proletariat that Stalin tells us that when the party has completed that task, then the party disappears into the classless society, the earthly paradise which the Communists promise following the dictatorship.

Mr. COHN. Now, Professor Budenz, we asked you to come down here today because the committee is now investigating the information program of the United States State Department, and part of that information program included some over 150 information centers throughout the world which contain libraries, which libraries contain a selection of books, the purpose of which is to give people throughout the world a true picture of the American way of life, and "to advance," quoting from the official statement of the head operating agency of the State Department, "the ideas of America in the struggles against communism."

I will ask you this question, Professor Budenz: Have you, at the request of the committee, examined a partial list of some authors whose books we have been advised by the Library of Congress are currently being used by the State Department in its information program?

Mr. BUDENZ. Yes, sir, I have gone over that list.

Mr. COHN. On that list, did you find any authors who were known to you as Communists?

Mr. BUDENZ. Yes, sir, I did.

Mr. COHN. Approximately how many?

Mr. BUDENZ. At least 75; and 4 that had very close connections with the Communist Party.

The CHAIRMAN. May I interrupt, Mr. Cohn?

I think the record should be very clear that, as far as we know, none of these books have been purchased since Dr. Johnson has taken over in the information program.

Mr. COHN. We have been assured in writing, Mr. Chairman, that Dr. Johnson and the current group there have refused to authorize the use of any books by Communists in the State Department information program to tell the truth about the American way of life and to fight communism.

You say on this preliminary list we gave you, which is far from complete, you found 75 persons you know to be Communists. Is that correct?

Mr. BUDENZ. That is correct.

Mr. COHN. Now, Professor Budenz, I might ask you this: During the period of time you were in the Communist Party and served on its commissions and held high office in it, did you acquire any knowledge concerning the use to which the Communist Party put those of its members who were authors of books?

Mr. BUDENZ. Yes. The Communists consider books a very vital part of psychological warfare, as we now call it. They understand that if they can poison the wells of public opinion by any means, and they seek to infiltrate every channel of public-opinion-making, they can gain great headway, making people in the country they wish to undermine think as the Kremlin wants them to think.

Now, books are a very important weapon in this campaign. They need not necessarily always be Communist in character, because the prestige of the author also counts. If an author, for example, is put in a high-school library in the United States, we will say, the Communists count on his name becoming an authority among the students. Therefore, when he says that he will not fight the Communist Chinese if ordered by the United States Government, that has its effect upon those pupils and students who have looked up to him as an authority.

Mr. COHN. Did the Communist Party, to your knowledge, attempt to exercise any control over those of its members who were authors of books?

Mr. BUDENZ. Definitely. They exercised a very strict control over those authors. As a matter of fact, they keep someone constantly—that is, a functionary, as they call them—in touch with these people.

Mr. COHN. And what were the duties of that functionary?

Mr. BUDENZ. That functionary is to see that this person, under directives of the party, follows out the Communist line in accordance with the particular area or field in which he is operating. He may be a fiction writer. There he will have to introduce, when he can, Marxism-Leninism, but there are certain aspects of writing where you can't do that, really. But in that case he will have to be a member of a Communist front, lend himself to Communist causes, or give large sums of money to the Communist Party.

Mr. COHN. Did you ever hear any discussion within the Communist Party concerning the desirability of placing books in places under the sponsorship of the United States Government?

Mr. BUDENZ. Yes; I did. I don't recall definite directives on that matter, but I know the whole question of placing books, by the Government, in the schools, abroad, and at home, was discussed. And not only discussed but was considered an important item in Communist activity.

Mr. COHN. Now, let me ask you this: We had some testimony here yesterday concerning a firm known as International Publishers, and 2 or 3 of the books in current use in the State Department information program were published by International Publishers. Do you know what the firm of International Publishers is?

Mr. BUDENZ. Very decidedly. The firm of International Publishers is one of the two large publishing houses of the Communist Party in this country. It is directly linked up to Moscow through Alexander Trachtenberg, who publishes all the translations of the Marxist-Leninist classics. These Marxist-Leninist classics, incidentally, have to be approved by Moscow before Trachtenberg can publish them. I know that of my own knowledge.

Mr. COHN. You mean there was a direct liaison between the Communist Party of the United States and Moscow regarding the content of these books?

Mr. BUDENZ. That is correct, between Alexander Trachtenberg, head of the International Publishers, and the Marx-Engels-Lenin Institute in Moscow, which censors or, rather, approves of the books that can be published, and the translations as they are produced in each country.

The CHAIRMAN. May I interrupt?

Has counsel subpoenaed the books of International Publishers?

Mr. COHN. That is in process, Mr. Chairman. I think that will be done.

Now, where was International Publishers located, Professor Budenz?

Mr. BUDENZ. It was located up in mid-Manhattan on Fourth Avenue, I believe. I have been up there very frequently. I just don't remember the number any more.

Mr. COHN. Yesterday we received in evidence some books by a man named James S. Allen, one of which I recall was published by the firm of International Publishers, which you have identified as an official party publishing house.

Mr. Allen refused to state before this committee whether or not he was a member of the Communist Party.

Do you know whether or not Mr. Allen was a member of the Communist Party?

Mr. BUDENZ. Yes, sir. I know Mr. Allen, or, rather I knew him, very well. He was not only a member of the Communist Party but a very important functionary. At one time he was the Communist International representative to the Philippines. And he has told me, in reviewing that work, how he organized anti-American demonstrations in the Philippines and other demonstrations designed to drive the United States out of the Pacific. He has done much more than that, though. He was foreign editor of the Daily Worker

while I was managing editor; and, of course, I came in daily contact with him then. And then he became special foreign adviser to the Daily Worker, especially for its Sunday issue.

The CHAIRMAN. May I interrupt?

Mr. Budenz, Mr. Allen, when testifying before the committee, stated under oath that he had no knowledge whatsoever that the Communist Party of the United States had any connection with the headquarters in Moscow. Do you know, from your personal knowledge, whether that was true or false?

Mr. BUDENZ. That was utterly false. The Communist Party is always controlled by a representative sent in here by Moscow, and it dare not move without following the directives which come from Moscow, first through the various organs that are sent in here, like the Cominform organ now, and the New Times, and then by this political shorthand, as I call it, the immediate day-by-day or week-by-week interpretation given by the Communist International representative, who was Gerhart Eisler while I was in the party, assisted by J. Peters. He was assisted by J. Peters.

The CHAIRMAN. Would there be any doubt in your mind that a man as high in the party as Allen would know about that?

Mr. BUDENZ. Mr. Allen was in touch with Mr. Eisler, has conferred with many underground agents of the Communist Party, including Lombardo Toledano of Mexico; and, as a matter of fact, he is himself an important link with the Communist underground for abroad.

The CHAIRMAN. I ask these questions in connection with the decision which the committee will have to make in regard to whether or not the Allen testimony should be referred to the Justice Department.

I understand your testimony to be that, in your mind, there can be no doubt but what Allen knew of the hookup with Moscow, the direction the party got from there? There can be no doubt about that?

Mr. BUDENZ. The audacity of the Communists in this respect as revealed by Mr. Allen, is almost laughable, if it were not so tragic to America. As a matter of fact, he was the Communist International representative to the Philippines, and thereby knew directly, from his own activities, of the Moscow direction of all Communist International activities.

Senator McCLELLAN. Would you say that he got instructions and directions direct from Moscow himself?

Mr. BUDENZ. Oh, decidedly, when he was Communist International representative. I don't know that, you understand; but that is the way Communist International representatives operate. That is their purpose.

Senator McCLELLAN. Well, the position he occupied, from your experience and knowledge of the Communist apparatus—you would say he is bound to have gotten his instructions from Moscow?

Mr. BUDENZ. That is correct. There can be no doubt about it when one knows the practices of the international Communist apparatus.

The CHAIRMAN. I am inclined to think that the Allen testimony should be referred to the Justice Department.

We can check that from the standpoint of perjury. There is no doubt that perjury was committed.

The question is: Was the testimony of such a nature that there could be an indictment?

Mr. COHN, before we go any further, Mr. William Z. Foster was subpoenaed to appear. His lawyer appeared. I wish you would have the record complete in regard to Foster.

Mr. COHN. We were advised from examination of the files of the Library of Congress that the State Department information program had in its information centers a book by William Z. Foster, entitled, "Pages From a Worker's Life." Mr. Foster was subpoenaed to appear before the committee, and his counsel, Mrs. Mary Kaufman, appeared and stated that Mr. Foster was too ill to respond to the subpoena, at which point the Chair directed that written interrogatories be submitted to Mr. Foster, and that he be required to answer those.

The CHAIRMAN. Have you been able to determine yet the number of Foster's books that were used?

Mr. COHN. That has not been determined. We have a copy of the book, and we know it is in use. We don't know the exact number.

The CHAIRMAN. Will you have Mr. Budenz identify Mr. Foster?

Mr. COHN. Do you know a man named William Z. Foster?

Mr. BUDENZ. Yes, sir; I knew him for many years and I knew him very well.

Mr. COHN. Was William Z. Foster a Communist?

Mr. BUDENZ. Yes. He was a Communist for many years. And, as a matter of fact, he was national chairman of the Communist Party. And, as a matter of fact, likewise for a time, he was even general secretary prior to that. He has been a leading Communist for about 30 years.

Mr. COHN. Is he national chairman of the Communist Party today?

Mr. BUDENZ. He is national chairman today. That is, I do not know that of my own knowledge; I know that by public repute. But he was national chairman when I was in the Communist Party and when I left it.

Mr. COHN. Would that make him in position the No. 1 Communist of the United States?

Mr. BUDENZ. It makes him the No. 1 Communist today, because the general secretaryship is very obscure now, with a large part of the party underground, and Foster undoubtedly is the outstanding open leader of the party in this country at the moment.

Mr. COHN. Now, we had before us yesterday a man named Earl Browder, 2 of whose books, or 3 of whose books were in use. Of course, you knew Earl Browder, did you not?

Mr. BUDENZ. I knew Browder very well for many years, even before I was a Communist.

Mr. COHN. Was Mr. Browder Foster's predecessor as the No. 1 open Communist in the United States?

Mr. BUDENZ. Yes, sir. Mr. Browder was general secretary of the Communist Party for a considerable number of years, was always closely associated with the Soviet secret police, and to my own knowledge, in addition to that—and, of course, he made many trips abroad on behalf of the party, going to Moscow to receive directives, and the like.

The CHAIRMAN. Mr. Budenz, can you think of any reason why those in the Information Service would purchase the books of well-known

Communists, men like Browder and Foster, and others, and place them throughout the world in our libraries, in order to, as they say, fight communism?

Mr. BUDENZ. No; that is totally unknown to me, as to how this could come about, save that there was the advice of some concealed Communist at work in this respect. I can't conceive of it otherwise.

The CHAIRMAN. In other words, you feel that that must have been the work of a Communist; otherwise it would not have been done?

Mr. BUDENZ. That is right; a concealed Communist must have at least given advice. I don't say that the administrative officer in charge was such, or anyone like that, but certainly someone along the line was a concealed Communist, to give advice of that character. None of these books would be there. I don't care what their number is. Because they openly advocate, in many instances, the overthrow of the Government of the United States, or lend their aid to that cause, to Marxism-Leninism, which is, in its very heart, the violent overthrow of the Government of the United States on behalf of the Soviet dictatorship.

The CHAIRMAN. Mr. Symington?

Senator SYMINGTON. Professor, you mentioned, when you mentioned Foster, that he was the leading known Communist. Did that mean that many of the prominent Communists are underground?

Mr. BUDENZ. Yes, sir.

Senator SYMINGTON. Not known as Communists?

Mr. BUDENZ. It is very clear today, from an analysis of the Communist activity, that the Politburo, or national board, which, in the constitution, no longer exists, is functioning underground, and because of the manner in which the party is conducting itself.

Senator SYMINGTON. Well, now, we have had several, if not quite a few, witnesses who have been willing to state that they were not Communists now, but refused to answer as to whether or not they had been Communists, say, before 1950.

You would believe that those people were still members of the Communist Party but had turned their cards in and said they were not now, in order to maintain their position in the conspiracy? Or do you think that as a group they are sincere in having left the Communist Party?

Mr. BUDENZ. I would say the very fact that they refused to testify as to whether or not they were members of the Communist Party in 1950 indicates that they made an arrangement with the Communist Party for technical resignation. Since 1949, no Communist has a vestige of membership permitted to him. That was the same practice used during the Hitler-Stalin pact period. Though no Communist had any vestige of membership connected with him whatsoever and could very easily, if he wished to perjure himself, swear he was not a Communist, technically he could even say that he wasn't. And these arrangements are made all the time.

I know of foreign Communists coming here that technically resign in order that they won't be deported. I could give you a certain striking example if it were necessary, but I think it is not.

Senator SYMINGTON. One more question. If that is true, does not that constitute a serious danger to the security of the United States, in your opinion?

Mr. BUDENZ. It does. As a matter of fact, the concealed Communists are one of the greatest dangers and problems to this democracy, because they endanger security by the fact that they may influence thousands of people under the appearance of not being Communists.

The CHAIRMAN. Senator McClellan?

Senator McCLELLAN. May we pursue this line of questioning just a little further?

These people who come in here and consistently take refuge under the fifth amendment in declining to answer questions propounded to them with relation to their connection with the Communist Party, and with general activities that are supported by the Communist Party: Would you say that is a general pattern that is being followed by those who are Communists, though they may not now be card-carrying members; and that in taking that position they are carrying out instructions and directions from Communists in Russia or the Communist Moscow leadership?

Mr. BUDENZ. Yes, sir. That is a pattern which I know from experience within the Communist Party was pursued not in that fashion but in other fashions during the Hitler-Stalin pact period to deny membership. And, as a matter of fact, it has been a common custom of a concealed Communist to deny membership for purposes of deceit. There are two types of Communists, those who, when they were in key positions joined the party, and they never did have any vestige of membership, as a rule. They can get up on the witness stand and even swear they never were Communists.

Then there is the Communist who was a Communist when he was obscure, in a lesser category of activity, and when he rises to a key position, then he pleads this privilege. And this double tactic is being used at the present time.

Senator McCLELLAN. In view of your experience as a member of the Communist Party, referring now to those who take the position, on the witness stand, and frequently admit that in their judgment the Socialist system in Russia is superior to the system in the United States, would you say whether they are card-carrying members, or not, they are actually Communists at heart?

Mr. BUDENZ. Senator, I think you have posed a very excellent question, because today the question before the American Nation is not to find out specifically who is a Communist, although, for legal purposes, of course, that is sometimes necessary; but the great question is: Does the activity of this man or woman lend itself to aiding the enemy of the United States, which is Soviet Russia? And then, if that is the case, they are not entitled to be in positions of trust.

Senator McCLELLAN. That is the real test.

Mr. BUDENZ. That is the real test.

Senator McCLELLAN. The question as to whether a man is a Communist or not is not necessarily one of whether he is a member of the party and recognized as such in the part, but it is the philosophy that he advocates?

Mr. BUDENZ. It is the philosophy and the record. And the records of these people are generally well known. There are bulky dossiers on these people in almost every congressional office where there have been committees in existence. And many of these people have been known for years.

Senator McCLELLAN. So that is not decisive factor, whether they are now members or have had membership in the Communist Party? The real test is the philosophy that they advocate?

Mr. BUDENZ. The philosophy and the record which they establish. Because the two always go together. As Marx says, "Our theory is not a dogma but a guide to action." And their philosophy will always lead to action against the Government of the United States in one form or another.

Senator McCLELLAN. In other words, these books that have been the subject of inquiry now would be a pretty good record by which to judge?

Mr. BUDENZ. That is correct.

Senator McCLELLAN. In other words, if they publish books that are completely, in their terms and provisions, derogatory to the American system and favorable to the system that prevails in Russia, that is a very reliable test of whether they are really Communists or Communist sympathizers, and whether they are real loyal Americans?

Mr. BUDENZ. Most decidedly, because that is a very important factor, as I have stated, in what we now call psychological warfare on the part of Soviet Russia. It has understood, shrewdly, for years, that it must penetrate in one way or another all policy-making bodies in order to mold the minds of the people, in this country or that, which they wish to undermine, according to the desires of the Kremlin.

Senator McCLELLAN. These media of books and documents that are made available in public libraries are sources of propaganda that the Communists in Russia regard highly as being effective?

Mr. BUDENZ. That is correct.

Senator McCLELLAN. And we use taxpayers' money to supply these books to libraries supported and maintained by this Government, when they are actually aiding the enemy in so doing, are we not?

Mr. BUDENZ. Yes, sir, Senator. As I understand it these are not books that are going to be quoted, such as Stalin's works, in order to hurl them against him. In that case, of course, it would be very valuable to use his own works, as I have tried to do today, but these are books by American Communists, concealed or otherwise, supposedly, as I understand, representing American opinion. Is that not correct?

Senator McCLELLAN. Well, the very fact that we buy them with taxpayers' money and place them in a library maintained by the Government lends credence to their value.

Mr. BUDENZ. Yes. Well, I would say, then, that this is a method of breeding communism throughout the world.

Senator McCLELLAN. It is certainly not a weapon to fight communism, is it?

Mr. BUDENZ. It is not. It is breeding communism. It is encouraging communism. I think we cannot escape that conclusion.

Senator SYMINGTON. Professor, you once were a Communist, and then you renounced that faith. Have you ever written any books since you did renounce it?

Mr. BUDENZ. Yes, I have.

Senator SYMINGTON. Do you happen to know whether the renunciation as you expressed it in those books—and I am only asking for information—has been used by our Government in the libraries?

Mr. BUDENZ. That I do not know. I do not know, one way or another.

Senator SYMINGTON. It might be interesting.

The CHAIRMAN. We will have counsel check that.

Senator SYMINGTON. One other question, for my own information. Because of your experience in the field—and if it is out of order, please do not answer it—but I was just wondering what you thought the result to the Soviet system would be from the death of Stalin and the rise of Malenkov?

Mr. BUDENZ. I think there will be no change whatsoever, because of the fact that communism is bigger than a man, even though they have made a god out of him, with feet of clay. That is to say, communism is a philosophy, it is a world outlook which is determined to prove that God does not exist. That is its fundamental thesis, as issued by Marx, Lenin, Engels, and Stalin: to prove that God does not exist by establishing an earthly paradise for the animal man, the classless society or communism. But before you can get this classless society or communism, you must wade through oceans of blood, they declare, to the dictatorship of the proletariat, which can only be led by this select few, this ruling caste, the vanguard, the Communist Party. Those who have been chosen out of the ages because of their knowledge of Marxism-Leninism, to be the ones who think and act for the masses; not taking the masses into their confidence, but thinking and acting for them.

Now, with that sort of a philosophy, there is a fanaticism in communism which goes beyond one individual. And I am sure we are going to see Malenkov continue Stalin's policies, of course, using tactics, as Stalin would, in accordance with what the needs of the hour are. And what gives me that idea, if I may add this, is that in his report to the 19th party congress in October, which is now being distributed by the thousands of copies, by the Communists in this country, Malenkov has entitled that report: "On the Threshold of Communism," which means on the threshold of this earthly paradise. Though, when you look inside, he says: "It is going to be a gradual transition." But his slogan is: "Onward to communism." In other words, he is inspiring the Communists that out of this dictatorship, which everyone can see is a tremendous world of slavery, there will emerge this era of complete nonrestraint, the earthly paradise or classless society which they promise at the end of the road. That will not be affected by the death of Stalin.

Senator SYMINGTON. Now, I have a few more questions I would like to ask.

In a weekly magazine recently it was purported that Mr. Churchill had stated that he asked Stalin how many people he had to kill in his efforts against the kulaks, and his answer was: "Ten million people, and it took 4 years. It was awful."

Would you care to comment as to whether or not you think that was correct, or what you know about it?

Mr. BUDENZ. Well, it is a known fact that millions were killed and, of course, to the Communist, human beings are expendable, because they are aiming for this world Soviet dictatorship and claim that nothing good will be accomplished until you get the world Soviet dictatorship, and then they get this classless society. If anyone has that view, they will consider that human beings are expendable.

Senator SYMINGTON. Well, would you think it would be fair to use the word "murdered," instead of "killed"?

Mr. BUDENZ. Well, it was organized murder. There is no doubt about it.

Senator SYMINGTON. Organized murder.

Mr. BUDENZ. That is correct.

Senator SYMINGTON. One other question. My interest in this question of Soviet power has been primarily in the defense field. I know that as late as since VJ-day, Stalin said that communism and capitalism could not live in the same world together. That always impressed me—as his books have always impressed me with their sincerity. I felt he was sincere in that, and that is why I thought it was important to have adequate national defense. Do you still think even though Stalin has died all the leaders of the Communists believe that capitalism and communism cannot live on the same planet together?

Mr. BUDENZ. That is their basic thesis. That is the basis of the Marxist-Leninist classics they distribute by the thousands and study by the midnight oil—State and Revolution by Lenin, and Stalin's Foundations of Leninism, which are being published right at this moment by the International Publishers and the other publishing houses of the Communist Party and distributed by the thousands. That is the basic premise of those two works along with many others. That is what makes communism: its determination to establish by violence the Soviet dictatorship in every country of the world.

Senator SYMINGTON. One more question, then.

Do you not agree, if that is true, that it is important for us to have adequate national security even if it means that we must lessen our standard of living, reduce our standard of living?

Mr. BUDENZ. I don't think that is necessary in this tremendously fruitful land. I think that America doesn't realize its productive capacities; and I think that is not necessary, just offhand.

Senator SYMINGTON. Offhand you think that we can—I understand we already have, a lot of it—butter and guns, too?

Mr. BUDENZ. In the United States of America, yes, with the ingenuity of the American Nation.

Senator SYMINGTON. Have you read the testimony of General Van Fleet.

Mr. BUDENZ. No; I have not.

The CHAIRMAN. Mr. Budenz, there has been a tremendous hue and cry raised since the Jenner committee has commenced to expose Communist teachers and professors. They cry that they are impairing academic freedom.

As a former top man of the Communist Party, would you say that there is any freedom of thought, any freedom of action, on the part of those Communist teachers?

Mr. BUDENZ. The only way to defend academic freedom is to get rid of the Communists in all our educational systems. Because they will destroy academic freedom immediately by their activities, and, secondly, in the long run, if they get control of the education system. The Communist goes into the school system under directives. As a matter of fact, there are many printed documents to that effect issued by the Communist Party. He goes under printed directives. He must follow the Communist Party line. He is not supposed to expose himself, incidentally, Senator, and he doesn't have to teach com-

munism openly in the classroom, if that will cause him to be expelled. But he does it covertly, indirectly, subtly. And in that way he finds out those pupils who are most susceptible and cultivates them personally, finds out those colleagues on the teaching staff who are most susceptible and cultivates them personally.

By the way, there is a directive on that in the November 1950 Political Affairs, the official theoretical organ of the Communist Party, teaching how to infiltrate organizations without becoming exposed, and yet forwarding the Communist cause. They go in, though, without any freedom whatsoever. They surrender their freedom to Stalin. They have no purpose but to do what they can to destroy the Government of the United States. That is their basic Marxist-Leninist philosophy.

The CHAIRMAN. Now, while you were a top member of the Communist Party and editor of the Daily Worker, did you also have the task of attempting to infiltrate the newspapers throughout the country with Communists?

Mr. BUDENZ. Yes; I did. I was chairman of the publications committee for several years, and it had charge of Communist publications, but also of the publication field in general.

The CHAIRMAN. I understand you have already given the FBI a list of writers and radio commentators known to you as members of the Communist Party.

Mr. BUDENZ. A substantial list. That list has never been completed, because of physical limitations. And in each case, I have intended to show how I knew it, which is quite a colossal undertaking. However, it is a substantial list. In the newspaper field, it is not so substantial, because oddly enough, while I supervised that, we got reports largely by numbers and by units and the individual was not so important as in some other cases, where I had to know how a person stood in order to treat him in the Daily Worker.

The CHAIRMAN. In other words it was necessary for you to know which particular writers or radio commentators were Communists so that you would know how to treat their work in the Communist Daily Worker?

Mr. BUDENZ. That is correct.

The CHAIRMAN. I understand you have also given the House Un-American Activities Committee a partial list of those Communists.

Mr. BUDENZ. Yes, sir; I have. I gave them as much as I was able to get together. It corresponds largely to the list given to the FBI, with the exception of about 75 or 100 names which I had gone over with the Federal Bureau of Investigation before, before that list was compiled.

The CHAIRMAN. Would you care to explain to us why the Communist Party considered it so important to infiltrate the newspapers and radio, and what the function of the members in the radio and newspapers happened to be?

Mr. BUDENZ. The Communist Party endeavors to infiltrate every agency of public opinion, and they endeavor particularly to infiltrate bottlenecks of public opinion. They therefore considered any agency that would be able to affect the minds of others of importance. And their infiltration was on that basis. As a matter of fact, they considered the newspaper field so important that for a while they had control of the American Newspaper Guild. Fortunately, that condi-

tion has ceased, and they have been defeated there. But that, in the beginning, was the situation. And it was due to their interest in affecting agencies of public opinion. This does not mean that in each agency they were as effective as in others, but they did infiltrate in all of them.

The CHAIRMAN. Mr. Cohn.

Mr. COHN. In response to Senator McClellan's questions to you, I might say we have been advised by the State Department that the purpose of these information centers which contained these books is "to advance the ideas of America in the struggles against communism and to reflect American objectives, values, and the nature of American institutions and life."

Now, can you conceive of books by Earl Browder, written when he was the No. 1 Communist in the United States, or by William Z. Foster, now the No. 1 Communist in the United States, furthering the aim of giving a true picture of American objectives and fighting communism?

Mr. BUDENZ. Certainly not. Quite the contrary.

Mr. COHN. Now, you have told us that you have made a partial examination of the list of authors being used by the State Department in these information centers, and that you have found some 75 authors whose works are in use, who were known to you as Communists. Can you conceive of the works of any of these people giving a true picture of the American way of life or helping to fight or expose communism?

Mr. BUDENZ. No; I cannot. As a matter of fact, most of those persons I dealt with personally over quite a period of time, and I know them as veteran Communists.

Mr. COHN. What was their obligation, as members of the Communist Party and as authors?

Mr. BUDENZ. Their obligation as members of the Communist Party and as authors was, within the limitations of their field of activity, to forward the Communist cause in whatever manner possible. That is to say, if they could not embody it always in their books, they would have to embody it in contributing heavily to the Communist Party, and joining Communist fronts, in lending the prestige of their name to the line that the Kremlin wanted advanced at any particular moment.

However, in most instances, they did incorporate pre-Communist thought into their writings. They were supposed to do that, if they possibly could do so, within the limitations of the area in which they were working.

Mr. COHN. I assume when Mr. Foster says, in this book, which was in use in one of the State Department information centers—

But the revolution eventually catches up with and destroys the slanders of its enemies. The accomplishments of the Soviet Government are so huge and unmistakable that all the world is being compelled to recognize that the new socialist system is a success. The Socialist sun is in the ascendant, and more and more the Soviet Union is becoming the beacon light of hope to the oppressed toilers of the earth—

That can hardly be said to give a true picture of American life or aid us in the fight against communism.

Mr. BUDENZ. No. As a matter of fact, anything Foster would write would be in the same tone and to the same effect.

Mr. COHN. Now, what was the policy of the Communist Party insofar as use of these books in things like information centers throughout the world was concerned, from your experience, under the sponsorship of the State Department?

Mr. BUDENZ. I know about the discussions in the party, and I know that there were discussions about use of the Government agencies for getting out Communist ideas.

Perhaps I can illustrate this best by the use of the books within the United States, which I helped to direct, and that is the placing of books in the libraries of our high schools and colleges. That was a specific responsibility for the purpose of, first, getting out the ideas of the authors to the students, making them required reading whenever possible, and then, secondly, using the prestige of the author so that when he engaged in any activity such as a pro-Communist cause, these people who had read his book would look up to him as an authority. We can see that in a somewhat similar manner this could be the use of this abroad.

Mr. COHN. And I can see that you can see no excuse whatsoever for those who were responsible for doing that, and we ought to make it quite clear that the new team in the State Department has ordered this practice stopped. You can see no excuse whatsoever for the use of books by some 75 or more Communist authors as part of a program to tell the truth about our way of life and to fight communism?

Mr. BUDENZ. No, sir. I think it is encouraging to note that the pledge has been made that they will be removed. This, as I stated before, is entirely different from using the current line of the party and subjecting it to critical and devastating analysis; to using the statements of Malenkov and having them also subject to this analysis. But, as a matter of fact, I think experience will show that those who endeavor to get these books into these information centers were precisely those who were not eager to devastate any statements by Soviet leaders or subleaders.

Mr. COHN. Now, just about my last question to you is this: I have asked you about several people. We have a witness here this morning named Lawrence K. Rosinger. Did you hear anything about Lawrence K. Rosinger when you were an official of the Communist Party?

Mr. BUDENZ. Yes, sir; frequently. He is one of those on the list whom I did not know personally, but from official communications which I was given in order to direct my work as managing editor of the Daily Worker. I was definitely informed, on a number of occasions, that Lawrence K. Rosinger was a member of the Communist Party under Communist discipline.

Mr. COHN. I see. I have no further questions, Senator McClellan. Senator McCLELLAN (presiding). Senator Symington?

Senator SYMINGTON. Professor, I would like to ask one more question.

Regardless of whether we have enough defense, would it not be a fair surmise that the greatest thing that could happen for the Soviet imperialism and the satellite countries would be for America to find itself with such an inadequate defense that they would be willing to risk attacking it, from a military standpoint?

Mr. BUDENZ. Oh, I think we must have very adequate defense. That is essential. But I think also, if you will pardon me, it is very essential that we have internal security. Because we may have all

the arms in the world, and if we do not have correct policy to follow them out, particularly since the Soviet dictatorship engages itself so in psychological warfare, then we will more or less squander our great armaments. The two things march hand in hand.

Senator SYMINGTON. Well, there have been what have been termed "peace feelers" recently, and there have been those before. If we do not arm ourselves properly, is that not, in effect, playing into the hands of the Kremlin?

Mr. BUDENZ. Oh, yes. I think we must arm ourselves, decidedly. And then, along with armament, we must maintain our own internal security and protect our morale and have those firm policies which will make our armament also worthwhile.

Senator SYMINGTON. Well, when you say "internal security," you are not implying that if we do arm ourselves adequately we cannot have internal security?

Mr. BUDENZ. Oh, no. I am trying to cover the whole picture.

Senator SYMINGTON. I agree with you. We should have internal security, of course.

Thank you, Mr. Chairman.

Senator McCLELLAN. Mr. Budenz, I want to ask you somewhat of a hypothetical question, in view of the fact that you were a member of the Communist Party for many years in a very high position, a responsible position, in the party, and at that time you were very active in promoting the party's program in this country, and subsequently you renounced communism, and since then, so far as I know and have observed, you have been very active in opposing communism and repudiating it and have been cooperative with congressional committees and others who are performing a service to this country and to the Government. And I have in mind a specific case that is before this committee, and that is one who is now in a high Government position, who denies ever having been a member of the Communist Party, but who has written a book that is very derogatory to the American philosophy of government, and tended, in its implications at least, in strong implications, to support the Communist theory of government. I want to ask you this question: What has been your observation, as well as your own experience, which we know, as to one who has been a Communist and a Communist sympathizer and subscriber to the Communist ideology and philosophy, once he becomes convinced he has been wrong, that he has made a mistake? What has been your observation of the attitude of those persons afterward? Are they cooperative? And are they willing not only to renounce it but to try to undo the errors of their past?

Assuming one had written a book such as I have referred to, would he be inclined thereafter, when he truly repented or felt that he wanted to repudiate communism, to be just as active in trying to write a book or other articles to repudiate what he had previously said?

I think you get from that what I am driving at.

Mr. BUDENZ. Yes, I don't know the case you have in mind. But I would say this, in a general way, which would apply to that or any other case. No ex-Communist can be accepted as having left the Communist conspiracy unless he proves by his deeds that he has done so. And what does that mean? That he cooperates fully with the Federal Bureau of Investigation; that he cooperates with congress-

sional committees when subpoenaed. Of course, sometimes you try to get out of the subpoenas if you can, because it is rather burdensome to appear over and over again. But I mean to say one who responds, and responds to the best of his ability; who also employs his activity in endeavoring to make amends for the thing he has done in the past.

Now, of course, some of the people are limited. I think some of the people in Hollywood who have made their statements, made them to the best of their ability, because they were within a limited group. We have to take each person as he was. But he must make some act, do some deed, not only some but many. Because a man who has been a Communist has committed grave offenses against this American Republic. If he doesn't understand that, he hasn't got rid of his Communist hangover. And that compels a man, even in the face of smears and attacks, which the Communists can organize through non-Communists, to do all he can to make up for his offenses of the past. That is the test of the ex-Communist.

Senator McCLELLAN. In other words, you would not accept repentance, professed repentance and reform, without actions that conform to opposition?

Mr. BUDENZ. Most decidedly not. The only way to judge a man is by his deeds. And the Communist has performed such activities against this Republic on behalf of the Soviet dictatorship that he must throughout the rest of his life remind himself that he has to make amends. And, of course, as I say, it depends on what area you were active in. Some men can do it in a larger way than others, because they have more information or have had more responsibility. But that is the method. Because there have been 700,000 who have ostensibly left the Communist movement in the last several decades, and many of them have not ceased to be Communists. They just couldn't stand the tasks which the party members had to carry out day by day. But they remain ideologically Communists and frequently cooperate with the party.

Senator McCLELLAN. Thank you very much.

Are there any other questions?

Mr. COHN. I have just one more thing.

Professor Budenz, as a final question, I think it would be of great interest to the committee if you told us briefly why you left the Communist Party in 1945.

Mr. BUDENZ. Well, I will have to be very brief on that. I left the Communist Party because of a series of events, and also a series of considerations on my part.

One does not leave the Communist conspiracy just overnight. It is a matter of thinking the thing through. Because you have been imbedded with a philosophy, a world outlook. And I want to stress that very much. That is not generally appreciated: that the Communists mean to change the world on the basis that there is no God. And that gives them a world outlook.

Now, first of all, the first shock I got was in 1943, when the Poles were permitted by Stalin in part to come out of the concentration camps in Russia. He let them do that in the hope that some of them would fight for Soviet Russia, after he had imprisoned them in his arrangement with Hitler. The Poles told about these concentration camps, the slave-labor camps. I wanted the Communists to answer.

And we received directives from Moscow not to answer, to let the people forget it, that it would be forgotten in time. And every Communist understands—he has to have a sixth sense—such a directive. That meant that this slave-labor system was extending and becoming an integral part of the Communist economy. But still I could not give up my Communist views. As a matter of fact, not until I found myself a complete puppet of Stalin's, and recognized it, that every thought, action, and deed could only be considered moral as the Kremlin dictated it, did I arouse myself to the extent of liberating myself from such intellectual and spiritual slavery—and physical slavery, eventually physical slavery.

So I returned to the morality of my youth, the Roman Catholic Church. It took some soul struggling to do it. I would like to say one thing here, because the ex-Communists have been so maligned on the grounds that they rushed forward to testify, which is untrue. I think everyone here knows that each ex-Communist who comes on the witness stand endeavors not to testify, because of many considerations. But they will do it if they feel the Government feels it is their responsibility.

I would like to point out here that the Communist hangover was so great, even after I knew the evil of communism, even after I had left the Communist Party, that for 3 or 4 months I refused to see the Federal Bureau of Investigation, because that old false conscience driven into me as a Communist prevailed, that there was something wrong about talking to an FBI agent. Finally, I got myself to do it, and then, of course, after that I have cooperated fully with the FBI. But I think the real reason for my break was this sense of becoming a slave intellectually and spiritually to every whim and wish and policy of the Kremlin, which woke me up to the position in which I was and to which the world would come if communism would be victorious.

Senator McCLELLAN. I think we have seen some demonstrations of just what you have been testifying to in the presence of this committee, by those who just simply are enslaved, are not free. They do not feel free. Therefore they invoke the fifth amendment to the Constitution.

Mr. BUDENZ. No Communist is free. He is a slave to the directives given him by the higher functionaries, and they receive their directives from abroad.

Senator McCLELLAN. I think we have had just such people before this committee.

The CHAIRMAN. Mr. Budenz, just one question. You have written some books since you broke with the Communist Party. Would you give us the names of some of those books? I would like to see if we have any of those in our library.

Mr. BUDENZ. This Is My Story, Men Without Faces, and, the most recent one, The Cry Is Peace. That is an answer to the cry of Stalin, and now, of course, of Malenkov, that they really want peace, which has so confused the Western World.

The CHAIRMAN. Thank you very much.

Senator McCLELLAN. What they mean by "peace" is subjugation of humanity. Is that not true?

Mr. BUDENZ. Yes. Mr. Allen told it very well yesterday. If everybody will surrender, they will have peace. They have always said

that. If you surrender to all the demands of the Soviet, and if you allow the Soviets to take control, they will do it peacefully—and then manhandle you later, of course.

Senator SYMINGTON. Just one more; really an observation.

Productive capacity is a fine thing, but if you are sincere in the way you talk, I think these boys that are fighting for the United States would agree with me that you cannot shoot, nor can you fly, productive capacity.

Thank you.

Mr. BUDENZ. Thank you very much.

The CHAIRMAN. Thank you very much, Mr. Budenz.

I wonder if you would remain available. I would like to see you later.

What time is your plane?

Mr. BUDENZ. Well, I shall remain.

The CHAIRMAN. We would like to see you about 1 o'clock.

Mr. BUDENZ. Very good. Thank you, Senator.

The CHAIRMAN. Unless you have an earlier reservation.

Mr. BUDENZ. No. That is all right.

Mr. COHN. Mr. Chairman, the next witness is Lawrence K. Rosinger, who has been identified by Professor Budenz as a Communist.

And before Mr. Rosinger commences his testimony: The Library of Congress has advised the chief consultant, Mr. Schine, concerning the number of places in which Mr. Rosinger's books are currently in use in the State Department information program. We can get that report.

The CHAIRMAN. Mr. Schine.

Mr. SCHINE. Mr. Chairman, we have found that 6 of Lawrence K. Rosinger's books are in use, in approximately 39 information centers scattered all over the world, in the Far East, in Africa, in Asia, in cities like Singapore, Calcutta, Bombay, Shanghai, Manila, and Casablanca.

Would you like me to read the six book titles?

The CHAIRMAN. Yes. Go ahead. You may.

Mr. SCHINE. China's Wartime Politics; India and the United States; Restless India; State of Asia; China's Crisis; and Forging a New China.

The CHAIRMAN. In other words, you have checked with the State Department, then, and confirmed the fact that Rosinger's books are actually on the shelves in 39 of our information centers?

Mr. SCHINE. Yes, sir.

The CHAIRMAN. And six different books.

Mr. SCHINE. Yes, sir.

The CHAIRMAN. Mr. Rosinger?

Mr. BOUDIN. Mr. Chairman, I have requested of Mr. Cohn—I am not Mr. Rosinger; I am his attorney, Mr. Boudin—that there be no television or photographs taken of the witness or his counsel. May I ask whether that is acceptable? We don't want to be on television.

(Brief consultation among committee members.)

The CHAIRMAN. May I say that originally I was of the opinion that television perhaps should not be used. However, it was pointed out to the committee that we should not discriminate against one method of getting information to the public, television, in favor of newspapers or radio or some other means of communication. I think that if the bright lights bother the witness, he is entitled to have those turned off.

In other words, anything that would embarrass him or make it difficult for him to testify should be removed. I can see that he might object to those bright lights.

What think you, Senator?

Senator SYMINGTON. I have no thoughts on it. I have never thought about it.

Mr. BOUDIN. I believe the bar associations generally have taken the position that the use of television is not the proper way to conduct a congressional hearing. I am, however, placing it on the ground that the information which you want, I take it, you will have by examination of the witness, and that the lights do bother the witness, and the fact that he is on television will be an obstruction to his testimony, and the fact that photographs are being taken. I am not asking for discrimination. I am merely stating on behalf of one client that we do object to anything except the normal testimony before a congressional committee.

The CHAIRMAN. You do not want his picture taken, either?

Mr. BOUDIN. We don't want his photograph taken, either.

Senator SYMINGTON. Mr. Chairman, if the witness does not want television, I would suggest that he be taken off television.

The CHAIRMAN. I think that is a good idea. The television cameras will be ordered not to focus on the witness under any circumstances. If you do that, you will be found in contempt of the committee. You understand that.

Mr. BOUDIN. We have the same feeling about movies and photographs.

Senator McCLELLAN. Mr. Chairman, I understand only the lights are being removed for the benefit of this witness. If there is to be a recording made of what the witness says, I do not agree as to anything covering that.

Senator SYMINGTON. Neither do I.

The CHAIRMAN. My thought was this, Mr. McClellan: that if the bright lights bother him, they should definitely be turned off.

No. 2, if he says it embarrasses him and makes it difficult for him to testify if he is being photographed by television cameras, the cameras can be left here. They can be trained on the Senators. I would be glad to bow to the wishes of the other members. I think if he does not want to be on television he should not be forced to be on television.

Senator McCLELLAN. If the lights are off, I do not see how he can be on television. I do not know much about it, of course.

The CHAIRMAN. Can you work with the lights off? Then will you turn off the lights? You can still handle your cameras without lights, I understand. Or you can turn the lights on the Senators if you wish. We are not bashful.

Mr. BOUDIN. Do I understand that my request that there be no photographs, no television, is overruled, or that I am sustained in my request?

The CHAIRMAN. I have no control over the photographers. They will be ordered not to photograph the witness while he is testifying. If they catch pictures of him before he testifies, and after, I have no control over that whatsoever. He will not be photographed while he is testifying.

Mr. BOUDIN. And as to the television, Senator, what was the ruling on that?

The CHAIRMAN. The television will not be turned on the witness. This is not establishing a precedent. I am taking it upon myself to do this. I think some of the Senators will disagree with me. I think some of them will feel strongly that that is discriminating against television in favor of newspapers and radio, but for the time being, we will invoke that order.

I think if he objects to being televised, until we have an executive session and decide this, you should not turn the cameras on him. You may photograph anything in the room except the witness.

Incidentally, we won't have any of this photographing of hands.

CAMERAMAN. Mr. Chairman, if we just photograph you, may we have the lights on?

Mr. BOUDIN. As long as they are not on me.

The CHAIRMAN. You may have the lights on anyone except the witness.

Mr. BOUDIN. I want to assure the Senators that I had no objection to their being televised.

The CHAIRMAN. You see, one of the values of this hearing is to bring all the facts to the public, and for that reason we have had a lot of television.

Mr. Rosinger, will you stand up and be sworn?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROSINGER. I do.

The CHAIRMAN. Proceed, Mr. Counsel.

Mr. COHN. You are Lawrence K. Rosinger, R-o-s-i-n-g-e-r; is that correct?

TESTIMONY OF LAWRENCE K. ROSINGER, ACCOMPANIED BY HIS COUNSEL, LEONARD B. BOUDIN

Mr. ROSINGER. That is correct.

Mr. COHN. Are you the author of these books, the titles of which Mr. Schine has read?

Mr. ROSINGER. Will you repeat the titles, please?

Mr. COHN. Surely. China's Wartime Policies, India and the United States, Restless India, State of Asia, China's Crisis, and Forging a New China.

Mr. ROSINGER. That is correct, except that the title of the first book is China's Wartime Politics.

Mr. COHN. You are the author of those books. Is that right?

Mr. ROSINGER. That is right. And one more point—

The CHAIRMAN. Mr. Rosinger, will you try and speak a little louder?

Mr. ROSINGER. Yes. The point I made first was that the title of the first book was given a little bit incorrectly. About the State of Asia, I was the editor and author of three chapters, but didn't write the entire book.

Mr. COHN. Subject to those qualifications, you are the author of these books?

Mr. ROSINGER. Yes.

Mr. COHN. Now, Mr. Rosinger, we have been advised by the State Department that these 6 books are in some 39 of the State Depart-

ment information centers today. My question to you is this: When you wrote any of these books, were you a member of the Communist Party?

Mr. ROSINGER. I respectfully decline to answer, relying on the constitutional privilege under the fifth amendment to the Constitution, that a witness need not testify against himself.

Mr. COHN. Mr. Rosinger, were you ever an adviser to Secretary Acheson in connection with any matter?

Mr. ROSINGER. I suppose you are referring to the State Department conference of October 1949 on far-eastern policy?

Mr. COHN. Were you summoned by a telegram signed by Dean Acheson to a conference at the State Department in 1949?

Mr. ROSINGER. That is correct.

Senator SYMINGTON. May I ask a question there?

The CHAIRMAN. Senator Symington.

Senator SYMINGTON. Is it not true that the State Department sends all its telegrams out signed by the Secretary of State?

Mr. ROSINGER. I am glad you made that point, because there is no means of knowing whether it was really a personal invitation from the Secretary of State. It was signed with his name, though.

Mr. COHN. Did you, in fact, attend that conference?

Mr. ROSINGER. I did.

Mr. COHN. Were you then a member of the Communist Party?

Mr. ROSINGER. I respectfully decline to answer, on the same grounds as given before.

The CHAIRMAN. On the grounds that if you answered truthfully your answer might tend to incriminate you?

Mr. ROSINGER. No, sir; I put it in my own words, that under the fifth amendment to the Constitution a witness may not be required to testify against himself.

Senator McCLELLAN. Let me ask you a question at that point. At any time during the conference or before, were you asked a question whether you were then a member of the Communist Party by anyone who was in that conference?

(Mr. Rosinger confers with Mr. Boudin.)

Mr. ROSINGER. I respectfully decline to answer, for the same reason.

Senator McCLELLAN. You will not tell us whether, prior to the time or at the time you engaged in a conference, it was ascertained by those who invited you to attend whether you were then a Communist or not?

Mr. ROSINGER. I stand on the answer I have given.

Senator SYMINGTON. Would you say who was at the conference?

Mr. BOUDIN. Could I just make one comment, Senator?

The CHAIRMAN. You may make no comment, sir. You may advise with your client. If he wants your advice, he may ask for it. If you want to have a private conference with him, we will engage a room for that.

Mr. BOUDIN. I don't need a private conference.

The CHAIRMAN. You understand, Mr. Rosinger, you may freely advise with your counsel whenever you care to.

(Mr. Rosinger confers with Mr. Boudin.)

Mr. ROSINGER. I would like to point out that a good deal of subject matter of that conference and the details about the conference have already been discussed and printed in the hearings of the McCarran

subcommittee. I was questioned by them. If the questions are to be repeated, I will answer. But it is already available in the public record.

The CHAIRMAN. The purpose of this conference was to advise Philip Jessup, the roving Ambassador, before he started to rove; is that correct? That was the purpose of the conference?

Mr. ROSINGER. Well, no; I don't think I can state it in those terms. All I know is what the telegram sent to me said.

The CHAIRMAN. The matter discussed at the conference was the question of establishing a United States foreign policy for Asia. Is that correct?

That was the subject of the conference?

Mr. ROSINGER. The subject matter of the conference was to discuss problems of American foreign policy in the Far East.

The CHAIRMAN. Were you a Communist at that time?

Mr. ROSINGER. I respectfully decline to answer, on the grounds already given.

The CHAIRMAN. Did you, as a member of the Communist Party, have a caucus with other Communist members before that conference?

Mr. ROSINGER. I respectfully decline to answer on the grounds already given.

The CHAIRMAN. Now, Kenneth Colgrove, an outstanding American, a professor at Northwestern University, attended that meeting, and he testified before the McCarran committee that the two leaders in the conference, the men who established the policy, in effect, were Lawrence K. Rosinger and Owen Lattimore. Would you say that was a correct evaluation of what happened at the conference?

Mr. ROSINGER. In my judgment, that is an incorrect designation of the character of the conference.

Mr. Colgrove may be of that opinion, but that certainly is not my opinion.

The CHAIRMAN. Did you know Alger Hiss?

Mr. ROSINGER. I respectfully decline to answer, relying on the constitutional privilege in the fifth amendment to the Constitution.

The CHAIRMAN. I asked you previously whether you were refusing because you thought the answer might tend to incriminate you. You said that was not your reason, I understand.

Mr. ROSINGER. I did not say that.

The CHAIRMAN. Do you honestly feel that if you answer that question your answer might tend to incriminate you?

Mr. ROSINGER. If I understand it, a witness is allowed to phrase his constitutional privilege under the fifth amendment in his own language. If you were a witness, Senator McCarthy, you would be able to phrase it your way. But this is my way of phrasing it.

The CHAIRMAN. Whether you are entitled to the privilege, in order to decide that, we must know whether a truthful answer would tend to incriminate you. You will answer that, or you will be ordered to answer the other question.

(Mr. Rosinger confers with Mr. Boudin.)

Mr. ROSINGER. I am asserting the privilege against self-incrimination under the fifth amendment. But my understanding is that I am not required to explain the details of that assertion.

The CHAIRMAN. The question is this: You will be ordered to answer this question. Do you feel that if you truthfully answer the question,

it might tend to incriminate you? You understand, you are not entitled to the privilege if you feel that perjury might incriminate you. (Mr. Boudin confers with Mr. Rosinger.)

Mr. ROSINGER. Will you repeat the question, please?

The CHAIRMAN. Do you feel that a truthful answer to the question just asked might tend to incriminate you?

(Mr. Boudin confers with Mr. Rosinger.)

Mr. ROSINGER. In giving the answers that I did, I felt that replies to the questions might tend to incriminate me.

The CHAIRMAN. Did you know Frederick Field?

Mr. ROSINGER. I respectfully decline to answer, on the grounds already given.

The CHAIRMAN. Did Field assist you in the writing of any of these works which were purchased by the information program?

Mr. ROSINGER. I decline to answer, on the grounds already given.

The CHAIRMAN. Were you a Communist at the time you wrote these six books which were purchased by the State Department?

Mr. ROSINGER. I decline to answer, on the grounds already given.

The CHAIRMAN. And your answer is, in each case where you decline, that you honestly feel that a truthful answer might tend to incriminate you. Is that correct, so that we might not repeat that each time?

Mr. ROSINGER. I am sorry. I didn't get the last phrase.

The CHAIRMAN. I say: Do I understand that each time when you declined, it was on the ground that you feel that a truthful answer might tend to incriminate you?

Mr. ROSINGER. In the current context of affairs.

The CHAIRMAN. Did you ever engage in espionage against the United States?

Mr. ROSINGER. No.

The CHAIRMAN. Have you ever engaged in any sabotage?

Mr. ROSINGER. No.

The CHAIRMAN. Proceed, Mr. Counsel.

Mr. COHN. Now, Mr. Rosinger, these six books of yours are scattered throughout Asia, Africa, and the Near East, by the State Department information program, and I would like to know this: Have you ever met with Mao Tse-tung, the leader of the Chinese Communists?

Mr. ROSINGER. I decline to answer, on the grounds already given.

Mr. COHN. Have you ever been in China?

Mr. ROSINGER. Yes.

Mr. COHN. Is it not a fact that you met with Mao Tse-tung, the leader of the Chinese Communists?

Mr. ROSINGER. I decline to answer, on the grounds already given.

Mr. COHN. Mr. Rosinger, once again, as the man who wrote these six books which are in use by the State Department information program, I will ask you this: Will you tell us whether or not the Chinese Communists are members of the Communist International?

Mr. ROSINGER. I decline to answer, on the grounds already given.

Mr. COHN. Do you in any of these books follow the Communist Party line in any way?

Mr. ROSINGER. I decline to answer, on the grounds already given.

Senator SYMLINGTON. May I ask a question? Do you think you are a good American?

Mr. ROSINGER. I certainly do.

Senator SYMINGTON. You are a good American?

Mr. ROSINGER. Yes, sir.

Senator SYMINGTON. Now, we have just had a witness who was a member of the Communist Party, and he did not decline to answer anything. If you are a good American, with the premise that it is an international conspiracy against the United States, why do you not answer these questions? What you have done in the past is not as important as the future and the present. Why are you afraid of answering that you are a Communist or have been a Communist? Or why do you not state your position frankly, like Professor Budenz did? That is what I cannot understand in these hearings.

Mr. ROSINGER. I am afraid, Senator, I will have to stand on the answers I have already given.

Mr. BOUDIN. I think I will send the Senator an article I have written, which may explain some of this.

The CHAIRMAN. Stand up, Counsel. You will be placed under oath if you insist on talking.

Mr. BOUDIN. I object to being put under oath.

The CHAIRMAN. All right. Then you will be removed from the room.

Mr. BOUDIN. Well, I have to advise the witness as to his rights. Otherwise he must come out.

Senator McCLELLAN. I agree with the chairman that if he is to testify before this committee or make statements to the committee, he should be under oath. But he says he does not want to testify. Therefore I suggest that he be ordered to keep quiet, except that he may have the liberty of conferring with his client.

The CHAIRMAN. I think that is a good suggestion.

Mr. Counsel, you understand that you can talk to your client at any time. The next time you try to interrupt the proceedings, I will ask the committee to hold you in contempt.

Senator McCLELLAN. Unless he is willing to be sworn. If he wants to be sworn and testify, that is all right.

May I ask the witness a question or two, Mr. Chairman?

The CHAIRMAN. Senator McClellan.

Senator McCLELLAN. You have said you are a good American. May I ask you if you believe in and subscribe to the Constitution of the United States of America?

Mr. ROSINGER. Yes.

Senator McCLELLAN. Do you believe in the overthrow of the Constitution of the United States of America?

Mr. ROSINGER. No.

Senator McCLELLAN. Do you advocate the philosophy of communism in the books you have written, and which have been identified in this record?

Mr. ROSINGER. I stand on the answer I have already given.

The CHAIRMAN. What is the answer?

Mr. ROSINGER. That I decline to answer under the fifth amendment to the Constitution.

May I ask whether any of the Senators has ever read any of my books in full?

Senator McCLELLAN. I think they have been read. I have not read your books. From what they are represented to be, I would not want

to waste my time on them. I certainly would not waste my time reading the works of any author who will come before this committee as you have and take refuge under the only provision of the Constitution of the United States that Communists today believe in. So I want to ask you these questions. And if you do not want to answer, if you want to take refuge, that is your privilege. But certainly I do not have time to waste on reading the literature of people who take the position that they cannot answer what their philosophy of government is without fear that it will incriminate them.

I asked you, I believe, if you believe in the overthrow of this Government by force and violence?

Mr. ROSINGER. No, sir; I do not.

Senator McCLELLAN. Have you ever advocated it?

Mr. ROSINGER. I respectfully decline to answer, relying on the constitutional privilege under the fifth amendment.

Senator McCLELLAN. You refuse to answer that. Have you ever attended meetings, Communist meetings, where it was advocated?

Mr. ROSINGER. I decline to answer, relying on the constitutional privilege and the fifth amendment.

Senator McCLELLAN. Are you now a member of the Communist Party?

Mr. ROSINGER. I decline to answer, relying on the constitutional privilege under the fifth amendment.

Senator McCLELLAN. Will you tell the committee when you withdrew membership, or when membership was withdrawn from you, in the Communist Party?

Mr. ROSINGER. I decline to answer, relying on the constitutional privilege under the fifth amendment.

Senator McCLELLAN. Do you believe that the system of government and ideology of communism in Russia is superior to the American system of government and philosophy?

Mr. ROSINGER. I decline to answer, relying on the constitutional privilege under the fifth amendment.

Senator McCLELLAN. Is it because you are ashamed to answer that you refuse to answer?

Mr. ROSINGER. I decline to answer, relying on the constitutional privilege under the fifth amendment.

Senator McCLELLAN. You are afraid that if you say you are ashamed, that will tend to incriminate you? Is that why you refuse to answer?

Mr. ROSINGER. I stand on the ground I have already given.

Senator SYMINGTON. I would like to ask one more question, Mr. Chairman.

The CHAIRMAN. Senator Symington.

Senator SYMINGTON. Do you know about the Korean war?

Mr. ROSINGER. Yes, sir.

Senator SYMINGTON. Do you know that the Soviets are supplying the Chinese Communists with military equipment?

Mr. ROSINGER. I don't personally know that.

Senator SYMINGTON. You do not know that?

Mr. ROSINGER. Not personally.

Senator SYMINGTON. But you do know that Americans are fighting against the Chinese Communists and being killed in Korea?

Mr. ROSINGER. Yes, sir.

Senator SYMINGTON. Then why, if you are a member of the Communist Party and at the same time say you are a good American, do you refuse to answer the question as to whether or not you are a Communist now? How could you be a Communist now and at the same time a good American, if we are fighting against communism?

Mr. ROSINGER. I am going to stand on the answer I have already given.

Senator SYMINGTON. You do not want to answer that question?

Mr. ROSINGER. I stand on the fifth amendment.

Senator SYMINGTON. You still think you are a good American?

Mr. ROSINGER. I do.

The CHAIRMAN. Mr. Rosinger, did you attend a conference in India in the last 2 or 3 years?

Mr. ROSINGER. Yes, sir. It was at the end of 1949.

The CHAIRMAN. Will you try and speak up, sir?

Mr. ROSINGER. I attended a conference in New Delhi at the end of 1949.

The CHAIRMAN. Who traveled with you to India?

Mr. ROSINGER. Well, outside of—I suppose you mean: did anybody I know personally travel with me? No one.

The CHAIRMAN. No one. And was there a Communist caucus preceding this conference in India, attended by you?

Mr. ROSINGER. I decline to answer, relying on the constitutional privilege under the fifth amendment to the Constitution.

The CHAIRMAN. Was Mr. Owen Lattimore with you at that conference?

Mr. ROSINGER. He was at the conference.

The CHAIRMAN. Was Mr. Allen Barth?

Mr. ROSINGER. Will you repeat the name?

The CHAIRMAN. Was Mr. Allen Barth with you at the conference?

Mr. ROSINGER. How do you spell the name?

The CHAIRMAN. B-a-r-t-h.

Mr. ROSINGER. I don't recall the presence of anybody of that name at the conference.

The CHAIRMAN. Would it refresh your recollection if we were to inform you that he is one of the editors of a local paper?

Mr. ROSINGER. A local paper?

The CHAIRMAN. Does that refresh your recollection?

Mr. ROSINGER. A local paper where?

The CHAIRMAN. In Washington. The Washington Post. Was Mr. Barth with you at that conference?

Mr. ROSINGER. Not to my recollection.

The CHAIRMAN. For the benefit of the committee, the record shows that Mr. Barth was at the conference.

Mr. ROSINGER. Are you sure?

There was somebody from the Washington Post at the conference, but I don't recall that it was a Mr. Barth.

The CHAIRMAN. Now, at this time when you were called to advise the Secretary of State on far eastern policies, did your advice follow the Communist line in Asia?

Mr. ROSINGER. I decline to answer, relying on the constitutional privilege under the fifth amendment.

The CHAIRMAN. Was your advice followed in any respects, as far as you know?

Mr. ROSINGER. I do not know.

The CHAIRMAN. You do not know?

Mr. ROSINGER. No.

The CHAIRMAN. Mr. Counsel, anything further?

Mr. COHN. I might ask this one question: Do you receive royalties from your books, from the sale of your books?

Mr. ROSINGER. By this time, on most of the books, I receive no royalties. On one of them, as I recall, I did, but by this time the royalties have ceased, because the book was written a number of years ago.

Mr. COHN. I mean when the books were in current circulation, you did receive royalties. Is that correct?

Mr. ROSINGER. As far as I can recall, the only book on which I received royalties was China's Crisis. The other books were simply written on salary, and as far as I recall I didn't receive anything after their publication.

Mr. COHN. You did receive royalties on China Crisis?

Mr. ROSINGER. That is right.

Mr. COHN. Have you ever contributed any money to the Communist Party?

Mr. ROSINGER. I respectfully decline to answer, relying on the constitutional privilege under the fifth amendment.

Mr. COHN. Do you contribute any moneys you received from the sale of China Crisis to the Communist Party?

Mr. ROSINGER. I respectfully decline to answer, relying on the constitutional privilege under the fifth amendment.

Mr. COHN. Because it goes without saying that the State Department has purchased enough, as it did, of your books to place them around in 39 different information centers, and I assume that as to those books, including as they did the one on which you said you received royalties, you would decline to answer if I were to ask you if any portion whatsoever of those royalties went to the Communist Party?

Mr. ROSINGER. I would decline.

The CHAIRMAN. Other than being a State Department adviser, what other work have you done for the Government?

Mr. ROSINGER. First of all, I wouldn't accept the designation of State Department adviser without qualification. I attended a 21½ day conference in October 1949, as 1 of 25 people, and that was the full extent of my advice, if you wish to call it that, to the State Department.

The CHAIRMAN. Is it your testimony that you did not prepare written advice and submit it to the State Department?

Mr. ROSINGER. Prior to the conference, a number of people were asked for memoranda, and I did write a memorandum.

The CHAIRMAN. In other words, you were asked to write advice to the Department on far eastern policy. You attended a conference.

Other than those two items, did you work for the Government?

Mr. ROSINGER. No; I have no recollection of any other connection.

The CHAIRMAN. What are you presently doing?

Mr. ROSINGER. I am in private business.

Mr. COHN. Are you a member of the Communist Party today?

Mr. ROSINGER. I respectfully decline to answer, relying on the constitutional privilege.

The CHAIRMAN. Were you not associated with the U. N.?

Mr. ROSINGER. No; I have never held any U. N. position.

The CHAIRMAN. Well, have you been associated with them as an adviser?

Mr. ROSINGER. No, sir.

The CHAIRMAN. You have been associated with the U. N. in no capacity; is that right?

Mr. ROSINGER. That is correct.

The CHAIRMAN. Do you presently hold a passport?

Mr. ROSINGER. I have a passport, but it has probably expired. It was the one that I used in going to India in 1949. It is probably out of date by now.

The CHAIRMAN. You may step down.

We will adjourn until 10:30 tomorrow morning.

Any witnesses under subpoena will return tomorrow morning at 10:30.

(Whereupon, at 12:05 p. m., a recess was taken until 10:30 a. m., Thursday, March 26, 1953.)

STATE DEPARTMENT INFORMATION PROGRAM— INFORMATION CENTERS

THURSDAY, MARCH 26, 1953

UNITED STATES SENATE,
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
OF THE SUBCOMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:30 a. m., in room 357 of the Senate Office Building. Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; and Senator John L. McClellan, Democrat, Arkansas.

Present also: Roy Cohn, chief counsel; Daniel G. Buckley, assistant counsel; David Schine, chief consultant; Ruth Young Watt, chief clerk.

The CHAIRMAN. The committee will come to order.

Will you call your first witness, Mr. Counsel?

Mr. COHN. The first witness is Mr. Edwin Seaver.

The CHAIRMAN. Will you raise your right hand, Mr. Seaver?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SEAVER. I do.

Mr. COHN. Mr. Seaver, would you give us your full name?

The CHAIRMAN. I may say you are the first witness we have had for a long time who appears without a lawyer, Mr. Seaver.

TESTIMONY OF EDWIN SEAVER

Mr. SEAVER. I don't see that I need one, Mr. Chairman.

Mr. COHN. Would you give us your full name?

Mr. SEAVER. Edwin Seaver.

Mr. COHN. Mr. Seaver, are you Edwin Seaver, the author?

Mr. SEAVER. Yes.

Mr. COHN. And are you the author of a book known as *The Company*?

Mr. SEAVER. Yes, sir.

Mr. COHN. This book, Mr. Chairman, is in use in the State Department information program at the present time.

The CHAIRMAN. May I ask counsel: In all cases where an author is called, you first check with the State Department and verify the fact that the book is in use. Is that correct?

Mr. COHN. Yes, Mr. Chairman. No author is called to the stand unless the master files indicate that his book is in use in the State Department information centers at this time.

The CHAIRMAN. I wonder if, at your very earliest convenience—I know we are keeping counsel at work day and night—you could take steps to find out the steps that have been taken to implement the recent State Department order on books by Communist authors. A very fine order went out from the new administrator, and we are anxious to find out what steps have been taken to enforce that order.

Mr. COHN. We will do that, Mr. Chairman. We are also checking into the question of responsibility for placing these books in the program originally. That is being followed out, too.

Now, Mr. Seaver, you say you are the author of this book entitled, "The Company"?

Mr. SEAVER. That is right.

Mr. COHN. That was written a good many years ago. Is that correct?

Mr. SEAVER. It was written in 1929.

Mr. COHN. You are also the author of a book known as The Hammer and the Anvil?

Mr. SEAVER. Between the Hammer and the Anvil.

Mr. COHN. And you are the editor of a collection that was published in the 1940's?

Mr. SEAVER. That is correct.

Mr. COHN. Is that correct?

Mr. SEAVER. Yes, sir.

Mr. COHN. Now, Mr. Seaver, was there ever a time when you were a sympathizer with communism?

Mr. SEAVER. Yes; in the early or middle thirties.

Mr. COHN. Now, during that period of time when you were a sympathizer with communism, did you write this book, The Company, and did you write the book Between the Hammer and the Anvil?

Mr. SEAVER. I wrote Between the Hammer and the Anvil. It is a little difficult for me to answer that correctly with regard to the first book, because I had no contacts at that time as a sympathizer or anything else. I was a very young fellow and was writing on my own.

Mr. COHN. Now, I would ask you this, too: Did you ever have any connection with any Communist-front organizations during the period of time when you were a Communist sympathizer?

Mr. SEAVER. Yes, with the League of American Writers.

Mr. COHN. And did your connection with Communist-front organizations end completely by 1948?

Mr. SEAVER. As I recall it; yes. The only thing I recall—well, now, I attended whatever it was, the Waldorf-Astoria meeting against war and fascism. I don't know whether that was 1948 or earlier, or what that was. But that is the only thing I recall after that time.

Mr. COHN. That was the last time in which you participated in any activity which was Communist dominated or controlled?

Mr. SEAVER. That is right.

Mr. COHN. Since that time, you have not; is that right?

Mr. SEAVER. Correct.

Mr. COHN. Now, Mr. Seaver, we would like to ask this question very frankly: If you were making up a collection of books, as the State Department has, for inclusion in information centers throughout the world, to place them in there for the purpose of giving a true picture of the American way of life, and to aid us in the fight against communism, would you select these books which you wrote prior to the

time when you completely broke with any of these thoughts you have told us about?

Mr. SEAVER. No; I don't think I would.

Mr. COHN. You are honest enough, even though you are the author of the books, to tell us you would not select them and you would not place them there.

Mr. SEAVER. I have no different attitude toward my own books than I have toward any other books.

Mr. COHN. I have no further questions of Mr. Seaver, Mr. Chairman.

The CHAIRMAN. In other words, your testimony on the stand is that when you wrote the book you were a sympathizer with the Communist cause; that you believed in it; that you no longer do. And your testimony further is that if you were attempting to fight communism, you would not use the type of book which you wrote while you were in sympathy with the Communist cause?

Mr. SEAVER. That is correct.

The CHAIRMAN. Senator McClellan, to bring you up to date, this witness, briefly, testified that he had been a sympathizer with the Communist cause, believed in it at one time. While he was a Communist sympathizer, he wrote books, one or two, which the State Department, I should say the old State Department, purchased and placed in our libraries, allegedly for the purpose of fighting communism. He has further testified that if he were attempting to fight communism, he would not use the type of book which he himself wrote.

The book, I understand, was written back in 1929, but was purchased by the State Department last year.

Mr. SEAVER. It is amazing to me that anybody purchased it last year.

The CHAIRMAN. The date you wrote it had nothing to do with the date when they purchased it.

Thank you very much.

The next witness?

Mr. COHN. The next witness will be Langston Hughes.

The CHAIRMAN. Mr. Langston Hughes.

Mr. Hughes, will you raise your right hand? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUGHES. I do.

The CHAIRMAN. I understand you are accompanied by a lawyer, also, Mr. Hughes?

TESTIMONY OF LANGSTON HUGHES, ACCOMPANIED BY HIS COUNSEL, FRANK D. REEVES

Mr. HUGHES. By counsel, yes, sir.

The CHAIRMAN. Will you identify your counsel?

Mr. REEVES. Frank D. Reeves, member of the Bar of the District of Columbia.

Mr. COHN. Mr. Chairman, I would like to advise the Chair first of all that the State Department information centers are now using approximately 16 of the collected works of Langston Hughes in approximately 51 information centers throughout the world.

The CHAIRMAN. In other words, 16 different books in 51 different information centers?

Mr. COHN. That is correct, Mr. Chairman.

The CHAIRMAN. Do they have all 16 in each information center?

Mr. COHN. No; they don't.

The CHAIRMAN. They have varying numbers.

Mr. COHN. They have varying numbers in varying information centers. The number of copies in use is approximately 200, a total of 200, for all 16.

Now, you reside in New York, Mr. Hughes?

Mr. HUGHES. Yes; I do.

Mr. COHN. And you are Langston Hughes, the well known poet. It that right?

Mr. HUGHES. That is correct, sir.

Mr. COHN. And for how long a period of time have you been writing poetry and prose, Mr. Hughes?

Mr. HUGHES. Since the eighth grade. I would have been at that time perhaps 14.

Mr. COHN. And ever since that time, you have been writing poetry and prose. It that right?

Mr. HUGHES. That is right, almost 40 years.

Mr. COHN. And you are still writing poetry and prose. Is that correct?

Mr. HUGHES. That is correct.

Mr. COHN. And a good many of your works have been published not only in English but in other languages throughout the world.

Is that right?

Mr. HUGHES. That is correct.

Mr. COHN. And you have achieved considerable renown as a result of your works. It that a fair statement?

Mr. HUGHES. That is a fair statement; yes.

Mr. COHN. Now, Mr. Hughes, would you tell this committee frankly as to whether or not there was ever a period of time in your life when you believed in the Soviet form of government?

Mr. HUGHES. There was such a period.

Mr. COHN. And when did that period end?

Mr. HUGHES. There was no abrupt ending, but I would say, that roughly the beginnings of my sympathies with Soviet ideology were coincident with the Scottsboro case, the American depression, and that they ran through for some 10 or 12 years or more, certainly up to the Nazi-Soviet Pact, and perhaps, in relation to some aspects of the Soviet ideology, further, because we were allies, as you know, with the Soviet Union during the war. So some aspects of my writing would reflect that relationship, that war relationship.

Mr. COHN. And, as a matter of fact, when would you say you completely broke with the Soviet ideology?

Mr. HUGHES. I would say a complete reorientation of my thinking and emotional feelings occurred roughly 4 or 5 years ago.

Mr. COHN. About 4 or 5 years ago?

Mr. HUGHES. Roughly.

Mr. COHN. I notice that in 1949 you made a statement in defense of the Communist leaders who were on trial, which was published in the Daily Worker. Would you say that your complete break came thereafter?

Mr. HUGHES. I would say that whatever quotation you are referring to, sir, might have been made in a spirit of wishing to preserve our civil liberties for everyone, and in a kind of remembrance of the happenings in Germany and what it had led to for minority peoples there, and a fear on my part that possibly, if we disregarded civil liberties, it might lead to that in relation to the Negro people.

Mr. COHN. Now, you have changed your views in regard to that? You have not changed your views regarding civil rights, but you have changed your views as to under what system they can best be achieved?

Mr. HUGHES. Well, I have certainly changed my views in regard to the fact that one may not get a fair trial in America. I believe that one can and one does.

Mr. COHN. You now believe that one can and one does get a fair trial in this country?

Mr. HUGHES. Speaking by and large. Of course, we have our judicial defects, as does every system or country.

Mr. COHN. Would you say what you would call your complete change in ideology came about 1950?

Mr. HUGHES. I would say certainly by 1950; yes.

Mr. COHN. All right. Now, could you tell us briefly, Mr. Hughes, just what it was that made you change your thinking from a belief over a period of years to the effect that the Soviet form of government was best for this country, to the present day, when you no longer believe that, and when you are a believer in the American form of government?

Mr. HUGHES. Well, there would be two aspects, and I would say, sir, that I have always been a believer in the American form of government in any case, but interested in certain aspects of other forms of government, and I would like to give two interpretations of my feeling about my reorientation and change. The Nazi-Soviet Pact was, of course, very disillusioning and shook up a great many people, and then further evidences of, shall we say, spreading imperialist aggression. My own observations in 1931-32, as a writer, which remained with me all the time, of the lack of freedom of expression in the Soviet Union for writers, which I never agreed with before I went there or afterward—those things gradually began to sink in deeper and deeper. And then, in our own country, there has been, within the last 10 years, certainly within the war period, a very great increase in the rate of acceleration of improvement in race relations. There has been a very distinct step forward in race relations, a greater understanding of the need for greater democracy for the Negro people, and then the recent Supreme Court decisions, which bolstered up the right to vote, the right to travel, and so on, have given me great heart and great confidence in the potentialities of what we can do here.

Mr. COHN. Have you received any disillusionment recently, concerning the treatment of minorities by the Soviet Union?

Mr. HUGHES. Well, the evidence in the press—I have not been there, of course, myself—indicating persecution and terror against the Jewish people, has been very appalling to me.

Mr. COHN. Mr. Hughes, will you agree that during the time you were a believer in the Soviet form of government, and aspects of it, you wrote some poetry which, in rather plain terms, reflected your feelings during that period of time?

Mr. HUGHES. I certainly did, sir.

Mr. COHN. You wrote one poem, I recall, beginning, "Put another 'S' in the USA to make it Soviet," and so on and so forth.

Mr. HUGHES. I did.

Mr. COHN. And various poems referring to revolution.

Mr. HUGHES. Good Morning, Revolution.

Mr. COHN. Good Morning Revolution.

Senator McCLELLAN. May I inquire of counsel if you are quoting from books or works of the author that are now in the library?

Mr. COHN. No; this one poem I quoted, "Put another 'S' in the USA to make it Soviet," is as far as we know not in any poems in the collection in the information centers.

Senator McCLELLAN. I think the record should show that. I would not want to be under any misapprehension.

The CHAIRMAN. The reason for this type of questioning is to show the type of thinking on the part of this individual at the time he wrote these books.

Senator McCLELLAN. I just wanted to keep the record straight.

Mr. COHN. Now, as recently as 1950, Mr. Hughes, we have a book entitled "Simple Speaks His Mind." Do you recall that book?

Mr. HUGHES. Yes; I do.

Mr. COHN. And that is not in poetry, but that is a series of short stories. Is that correct?

Mr. HUGHES. Humorous sketches, mainly, and stories.

Mr. COHN. This book is today, Mr. Chairman, being used by the State Department in its information centers.

Now, I am quoting now from the last paragraph of one of these incidents in this book, entitled, "Something to Lean On." Do you recall that one?

Mr. HUGHES. Not as to facts, but I do recall the title of the chapter.

Mr. COHN. You do recall the title. I would like you to follow along this. It concludes as follows:

"You figure the Constitution has fallen down on you?" "I do," said Simple, "Just like it fell down on that poor Negro lynched last month. Did anybody out of that mob go to jail? Not a living soul! But just kidnap some little small white baby and take it across the street, and you will do 20 years. The FBI will spread its dragnet and drag in 40 suspicions before morning. And if you are colored, don't get caught selling a half pint of bootleg licker, or writing a few numbers. They will put you in every jail there is. But southerners can beat you, burn you, lynch you, and hang you to a tree—and every one of them will go scot free. Gimme another beer, Tony! I can lean on this bar, but I ain't got another thing in the USA on which to lean."

Is that an accurate quotation?

Mr. HUGHES. That is correct.

The CHAIRMAN. May I ask counsel: Do you know in what libraries that is contained?

Mr. COHN. I think we can check that, Mr. Chairman. It is located in Tel-Aviv, Israel, Singapore, Hongkong, K-u-a-l-a L-u-n-p-o-r, at the present time.

Now, in that same connection, is there another incident entitled "When a Man Sees Red"?

Mr. HUGHES. There is.

Mr. COHN. And that is a takeoff on an imaginary hearing of an Un-American Activities Committee; is that right?

Mr. HUGHES. That is correct.

Mr. COHN. Which, without going into it in full detail, thoroughly ridicules the activities of the committee and its attempt to expose communism and the motives of those trying to do that. Is that fair?

Mr. HUGHES. No, sir; I believe that is not a fair statement of the contents of that chapter.

Mr. COHN. I want to avoid reading the whole thing, but why do you not tell us?

Mr. HUGHES. If you don't mind, may I glance at it a moment?

Mr. COHN. Certainly.

The CHAIRMAN. I might suggest, Mr. Counsel, that it would be extremely difficult, with our limited staff, to finally fix responsibility and find the people who picked these particular works and had them purchased. I wonder if we could not ask Mr. McLeod if he would not utilize his office to try and find the specific individuals who are responsible for picking all these Communist books and paying for them?

Mr. COHN. We can certainly do that, Mr. Chairman. We can probably work out a system whereby we could work along with them.

The CHAIRMAN. Otherwise it would be difficult for you to ever run this down to the men.

Mr. COHN. I might say this, Mr. Chairman. Some suggestion has been made that they came from some old collections. A good many of these books were purchased as recently as 1950, '51, and '52; so that argument does not hold water. We will call Mr. McLeod's office.

The CHAIRMAN. I think we should also have in the record the dates of purchase, if we can possibly get them. In other words, I would like to know which of those books were received from OWI and put in the libraries, if any of them, and which have been purchased recently.

Incidentally, while the witness is examining the work, I understand you have a list of the Lattimore books that have been used.

Dave, do you have those?

Mr. SCHINE. Yes, sir.

The CHAIRMAN. Have you verified them, first, with the State Department?

Mr. SCHINE. Yes, this is their list. The State Department prepared the list.

The CHAIRMAN. Would you read those into the record?

Mr. SCHINE. Yes, I will.

These books are by Owen Lattimore, and they are scattered throughout the Information centers. There are approximately 13 books, 161 copies altogether in 60 Information centers.

America and Asia; China, As a Short History; China, Yesterday and Today; Inner Asian Frontiers of China; The Making of Modern China; Mongol Journeys; Ordeal by Slander—

The CHAIRMAN. I may say that I recognize that name, "Ordeal by Slander."

Mr. SCHINE. Pivot of Asia; Situation in Asia; Solution in Asia.

That is the list we have here, Mr. Chairman.

The CHAIRMAN. Just from personal curiosity, do you know what libraries the book, Ordeal by Slander, has been placed in? In what parts of the world?

Mr. SCHINE. We will check that.

Mr. HUGHES. I have finished, sir.

Mr. COHN. Have you read that?

Mr. HUGHES. I have looked through it. I remember it now.

Mr. COHN. Would you want to comment on that, Mr. Hughes?

Mr. HUGHES. On When a Man Sees Red, the chapter in Simple Speaks His Mind?

Mr. COHN. Yes.

Mr. HUGHES. It is, or was, a newspaper column, and I cannot tell you exactly when it was written, but I can tell you approximately. It was written following the incident as reported in the papers, which I think occurred in the Un-American Committee, where one of the counsel, or one of the members of the committee, if I remember correctly, called a Negro witness a very ugly name. And that went throughout the Negro press and shocked the Negro people very deeply. And many people in Harlem—and this book, incidentally, is about a character who lives in Harlem—many people felt that that indicated that certainly some of the members of that Un-American Committee were unfair to Negroes, and that they shouldn't be able to call a man the name that this man was called, and which Negroes call "playing the dozens," or talking about one's mother.

So this character of mine is a kind of Negro Mr. Dooley, who, for a period of the past 10 years at least, has been commenting in the public prints in a weekly column on the passing happenings. It is a fictional character who comments and editorializes on passing happenings in terms largely of what the average uneducated or not too well educated Negro in a big city might think about them. And the fiction is my own.

Mr. COHN. What is your own?

Mr. HUGHES. The creation of the fictional character is my own, but there is also in these columns another character, who generally presents opposing views. There is an "I," and there is a simple character.

The CHAIRMAN. May I ask you this, Mr. Hughes: Keeping in mind that the information program is supposed to be for the purpose of fighting communism, would you think that placing this book of yours on the shelves of our libraries throughout the world, the book in which you attack the Un-American Activities Committee as being unfair—I am asking what you think as of today; I am not speaking of how you felt then—as of today, do you think that would be an effective way of fighting communism? Or would that tend to put us in a bad light as compared to the Communist nation?

Mr. HUGHES. If I may give you an answer in two parts, I think the book probably would be in some ways very confusing to foreign people, and the nuances that are expressed very often in slang, or sometimes even in dialect, would be almost impossible for them to get, and therefore they might be very confused. And the other thing, I think, sir, is this: That if we wanted to look at it from the angle of freedom of the press in our country, and our traditional right to criticize the branches of our Government, and if we wanted to look at that chapter from that standpoint, then it would show, in my opinion, to foreign peoples, that we had freedom of the press intact, that we had kept the right to satirically comment upon a committee of our Government, which certainly some Negro people have felt has not been very fair to them.

The CHAIRMAN. Let me ask you this. You appear to be very frank in your answers, and while I may disagree with some of your conclu-

sions, do I understand that your testimony is that the 16 different books of yours which were purchased by the information program did largely follow the Communist line?

Mr. HUGHES. Some of those books very largely followed at times some aspects of the Communist line, reflecting my sympathy with them. But not all of them, sir.

The CHAIRMAN. Now, let us take those that you think followed the Communist line. Do you feel that those books should be on our shelves throughout the world, with the apparent stamp of approval of the United States Government?

Mr. HUGHES. I was certainly amazed to hear that they were. I was surprised; and I would certainly say "No."

The CHAIRMAN. Let me ask you this question. I understand your testimony to be that you never actually joined the Communist Party; that while you were in Russia, you were solicited to join it; that you have for a long period of time been a sympathizer with the Communist cause, and that as of today you definitely are neither a member of the party nor a sympathizer with the cause. Is that correct?

Mr. HUGHES. That is correct, sir.

Mr. SCHINE. Mr. Chairman, I have the places where Ordeal by Slander, by Owen Lattimore, was used in the overseas information centers. Calcutta and Bombay.

The CHAIRMAN. Just out of curiosity, they did not put the McCarthy book on the shelves?

Mr. COHN. On that, Mr. Chairman, we found that before we made any inquiry the State Department themselves had made an inquiry at the master file to see whether they had placed any of your books in the libraries, and there was an entirely negative report on each book.

Mr. Chairman, in deference to Mr. Hughes, there are a number of writings of his written during this period of time which are being included in the collections of the information centers throughout the world which I frankly think should not be read to the public. Some of them use words and terms that would not be too good. I wonder if we could have them entered into the record. We went into them with Mr. Hughes in executive session.

The CHAIRMAN. I think you are right, Counsel. I do not think those passages should be read over the air. But I do think that the passages should be put in the record, so that the record will be complete as to the type of literature that the information program has been putting out.

I would like to emphasize—and I think we should from time to time—that when we speak of the information program we are speaking of the old administration, and I think Dr. Johnson, the new Administrator, is making very intelligent and sincere attempts to clean it up and make it an American information program.

Mr. COHN. Now, Mr. Hughes, the substance of your testimony, then, as I understand it, is that you were quite surprised and disturbed to learn that there are in use now in our information program to fight communism and give a true picture of the American way of life, works of yours written at a period of time when you were a Communist sympathizer?

Mr. HUGHES. I am surprised, sir, and I do not know how they became available, at this moment, because they have been long out of print, most of those works, and they are very hard to get anyway.

Mr. COHN. And it is your frank testimony to the committee that you certainly would not think those early works of yours should be included in a program to fight communism today?

Mr. HUGHES. No, I would not. I have made no attempt to get them back into circulation. Some of them have been out of print for at least 12 or 15 years.

Mr. COHN. Very frankly, you are not particularly proud of them at this stage?

Mr. HUGHES. They do not represent my current thinking, nor my thinking for the last, say, 6 or 8 years, at any rate.

Mr. COHN. And those are not the selections from your writings that you would want included in our information program?

Mr. HUGHES. No; I would not. I have more recent books which I would much prefer, if any books of mine are kept on the shelves.

Mr. COHN. Written after you came to the realization you described to use today, that the answer to the problems which disturb you is to be found in this country and under our form of government?

Mr. HUGHES. That is right; published afterward, certainly.

The CHAIRMAN. Senator McClellan?

Senator McCLELLAN. I am very much interested in this particular line of questioning and testimony. Do I understand that since you came to the conclusion that you were wrong about communism, and subsequent to the time you wrote these books that are now found in these libraries, you have written other works, other books, that repudiate the philosophy that you expressed in these writings that we now find in the libraries?

Mr. HUGHES. I would say that they certainly contradict the philosophy, and they certainly express my prodemocratic beliefs and my faith in democracy.

Senator McCLELLAN. What interests me is that I want to commend anyone who will be as frank about their errors of the past as you are being before this committee and before the public. It is always quite refreshing and comforting to know that any Communist or Communist sympathizer has discovered the error of his ways and beliefs, and changes. But I have always thought that with repentance or reformation comes deeds and action. And I was interested to know whether, since you came to the conclusion that the ideology of communism was wrong, you have, since you are a writer, undertaken to write books or other material that would repudiate your former writings and philosophy.

Mr. HUGHES. Could I point out two or three examples which I think do that, if I may?

Senator McCLELLAN. Yes. You are being very sincere, and I was hoping that you would have some real evidence of your change, that you have done and are doing what you can to make amends for whatever damage you may have done by previous writing.

Mr. HUGHES. There is a poem of mine called Freedom's Plow, sir, which was written, or rather published, about 10 years ago, but which I have, as nearly as I can, constantly kept in circulation, and which is very much a statement of my belief in American democracy and its potentialities for the Negro people.

There is a story, if we want something much more recent, in my book of short stories, *Laughing To Keep From Crying*, my last book of adult prose, which came out, I think, a year or more ago, in 1952, which contains a story called *One Friday Morning*, in which I reaffirm, through a dramatic situation, the potentialities of our democracy for a Negro girl who has had a very humiliating Jim Crow experience. And it is pointed out to her that the Irish people went through a period when they were humiliated and segregated and stoned; and the Jewish people have had their difficulties, and that some of those difficulties no longer exist for other former minority groups, and the belief in our potentialities is reaffirmed for this Negro student in this story.

Just very briefly, as to one or two more things of that nature, poems like *Mystery*, in *Montage of a Dream Deferred*, my last book of poems, and then my very last book, the very last paragraph of my last book, which is about eight lines, if I may read it to you. This book came out 2 months or 3 months ago, and the last paragraph of it goes like this:

Our country has many problems still to solve, but America is young, big, strong, and beautiful, and we are trying very hard to be, as the flag says, one Nation, indivisible, with liberty and justice for all. Here people are free to vote and work out their problems. In some countries people are governed by rulers, and ordinary folks can't do a think about it. But here all of us are a part of democracy. By taking an interest in our Government, and by treating our neighbors as we would like to be treated, each one of us can help make our country the most wonderful country in the world.

That book is called *The First Book of Negroes*.

Senator McCLELLAN. I certainly commend you for that authorship of those remarks. I think they indicate that you have had a change in your beliefs and convictions about this country, and I wish that these books that are in the libraries, your earlier publications, might be replaced with some of your later works.

Mr. HUGHES. I would be very happy if that were to happen.

Senator McCLELLAN. And I am sure that the books were not in the libraries with your consent. You had no knowledge of that.

The CHAIRMAN. May I ask counsel: Did the information program buy any of Mr. Hughes' books after his reversal, when he quit supporting the Soviet system, and started to support ours?

Mr. COHN. As he has mentioned these books, I have gone through the list and do not find them, but I wouldn't want to state that conclusively until I have checked with the State Department on that, Senator.

The CHAIRMAN. I have been asked to put in the record a poem written by Mr. Hughes while he was, as he says, following the Communist Party line and believing in it, for the purpose of showing the type of material that was written by those who did believe in the Communist cause. I do not believe it is necessary to read it. We will merely insert it in the record. As far as I know, this was not in any of the books purchased by the information program. This is merely included in the record on request, to show the type of thinking of Mr. Hughes at that time, the type of writings which were being purchased. The title, incidentally, is "Goodbye, Christ."

(The material referred to is as follows:)

GOODBYE, CHRIST

Langston Hughes

Listen, Christ
 You did all right in your day, I reckon—
 But that day's gone now.
 They ghosted you up a swell story too,
 Called it Bible—
 But it's dead now.
 The popes and the preachers 've
 Made too much money from it.
 They've sold you to too many
 Kings, generals, robbers, and killers—
 Even to the Czar and the Cossacks,
 Even to Rockefeller's church,
 Even to the SATURDAY EVENING POST.
 You ain't no good no more.
 They've pawned you
 Till you've done wore out.

Goodbye,
 Christ Jesus Lord God Jehova,
 Beat it on away from here now.
 Make way for a new guy with no religion
 at all—
 A real guy named
 Marx Communist Lenin Peasant Stalin
 Worker ME—

I said "ME"!

Go ahead on now,
 You're getting in the way of things, Lord,
 And please take Saint Ghandi with you
 when you go,
 And Saint Pope Pius,
 And Saint Aimie McPherson,
 And big black Saint Becton
 Of the Consecrated Dime.

Move!
 Don't be so slow about movin'!
 The world is mine from now on—
 Nobody's gonna sell ME
 To a king, or a general,
 Or a millionaire.

MR. COHN. You no longer hold any of the views expressed in that poem?

MR. HUGHES. No; I do not. It is a very young, awkward poem, written in the late 1920's or early 1930's. It does not express my views or my artistic techniques today.

THE CHAIRMAN. It was written at a time when you were devoted to the Communist cause, and you would not subscribe to it at this time at all?

MR. HUGHES. No, sir; I certainly would not.

THE CHAIRMAN. Thank you.

MR. COHN. No further questions of Mr. Hughes.

THE CHAIRMAN. Thank you very much, Mr. Hughes.

MR. HUGHES. I am excused now, sir?

THE CHAIRMAN. Yes.

May I ask you just one question first? We have had so much screaming by certain elements of the press that witnesses have been misused. Now, you have been in contact with my staff for some time. They have interrogated you. Do you feel that you were in any way mistreated by the staff or by the committee?

Mr. HUGHES. I must say that I was agreeably surprised at the courtesy and friendliness with which I was received.

The CHAIRMAN. In other words, from reading some of the press, you thought you would find the Senators and the staff might have horns, and you discovered that we did not have any horns at all.

Mr. HUGHES. Well, Senator Dirksen—is that his name?

The CHAIRMAN. Senator Dirksen, yes. He is the other Senator. He is not here today.

Mr. HUGHES. He was, I thought, most gracious and in a sense helpful in defining for me the area of this investigation; and the young men who had to interrogate me, of course, had to interrogate me.

Am I excused now?

The CHAIRMAN. Thank you very much.

You are excused.

Mr. COHN. The next witness is Mr. Dashiell Hammett.

The CHAIRMAN. Mr. Hammett, will you raise your right hand? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAMMETT. I do.

Mr. COHN. Could we have your full name, please, sir?

TESTIMONY OF SAMUEL DASHIELL HAMMETT

Mr. HAMMETT. Samuel Dashiell Hammett.

Mr. COHN. Samuel Dashiell Hammett. Is that right?

Mr. HAMMETT. That is right.

Mr. COHN. And what is your occupation?

Mr. HAMMETT. Writer.

Mr. COHN. You are a writer. Is that correct?

Mr. HAMMETT. That is right.

Mr. COHN. And you are the author of a number of rather well-known detective stories. Is that correct?

Mr. HAMMETT. That is right.

Mr. COHN. In addition to that, you have written, I think, in your earlier period, on some social issues. Is that correct?

Mr. HAMMETT. Well, I have written short stories that may have—you know, it is impossible to write anything without taking some sort of stand on social issues.

Mr. COHN. You say it is impossible to write anything without taking some sort of stand on a social issue. Now, are you the author of a short story known as Nightshade?

Mr. HAMMETT. I am.

Mr. COHN. I might state, Mr. Chairman, that some 300 of Mr. Hammett's books are in use in the Information Service today, located in, I believe, some 73 information centers; I am sorry, 300 copies, 18 books.

You haven't written 300 books; is that right?

Mr. HAMMETT. That is a lot of books.

Mr. COHN. There are 18 books in use, including some collections of short stories and other things, and there are some 300 copies of those located in some 73 information centers.

Now Mr. Hammett, when did you write your first published book?

Mr. HAMMETT. The first book was Red Harvest. It was published in 1929. I think I wrote it in 1927, either 1927 or 1928.

Mr. COHN. At the time you wrote that book, were you a member of the Communist Party?

Mr. HAMMETT. I decline to answer, on the grounds that an answer might tend to incriminate me, relying on my rights under the fifth amendment to the Constitution of the United States.

Mr. COHN. When did you write your last published book?

Mr. HAMMETT. Well, I can't really answer that. Because some collections of short stories have been published. I imagine it was some time in the thirties, or perhaps the forties.

Mr. COHN. In the thirties or forties. At the time you wrote your last published book were you a member of the Communist Party?

Mr. HAMMETT. I decline to answer on the grounds that an answer might tend to incriminate me.

Mr. COHN. If I were to ask you, with reference to these books, whether you were a member of the Communist Party at the time you wrote the books, what would your answer be?

Mr. HAMMETT. Same answer. I would decline to answer on the grounds that an answer might tend to incriminate me.

Mr. COHN. Mr. Hammett, are you a member of the Communist Party today?

Mr. HAMMETT. I decline to answer on the grounds that an answer might tend to incriminate me.

The CHAIRMAN. Mr. Hammett, let me ask you this. Forgetting about yourself for the time being, is it a safe assumption that any member of the Communist Party, under Communist discipline, would propagandize the Communist cause, normally, regardless of whether he was writing fiction books or books on politics?

Mr. HAMMETT. I can't answer that, because I honestly don't know.

The CHAIRMAN. Well, now, you have told us that you will not tell us whether you are a member of the Communist Party today or not, on the ground that if you told us the answer might incriminate you. That is normally taken by this committee and the country as a whole to mean that you are a member of the party, because if you were not you would simply say, "No," and it would not incriminate you. You see, the only reason that you have the right to refuse to answer is if you feel a truthful answer would incriminate you. An answer that you were not a Communist, if you were not a Communist, could not incriminate you. Therefore, you should know considerable about the Communist movement, I assume.

Mr. HAMMETT. Was that a question, sir?

The CHAIRMAN. That is just a comment upon your statement.

Mr. Counsel, do you have anything further?

Mr. COHN. Oh, yes.

Now, Mr. Hammett, from these various books you have written, have you received royalty payments?

Mr. HAMMETT. I have.

Mr. COHN. And I would assume that if the State Department purchased 300 books, or whatever it was, you would receive some royalties?

Mr. HAMMETT. I should imagine so.

Mr. COHN. Could you tell us, without violating some secret of the trade, just what your royalties are, by percentage?

Mr. HAMMETT. Well, it is not a case of violating a secret of the trade. I would have to look up contracts. And they vary, as a matter of fact. On the books published by Alfred Knopf, \$2 or \$2.50 books, or whatever they were, I think it starts at 15 percent. On the short-story collections, most of which were reprints, the royalties are lower than that.

The CHAIRMAN. Did any of the money which you received from the State Department find its way into the coffers of the Communist Party?

Mr. HAMMETT. I decline to answer, on the grounds that an answer might tend to incriminate me.

The CHAIRMAN. Let me put the question another way. Did you contribute any royalties received as a result of the purchase of these books by the State Department to the Communist Party?

Mr. HAMMETT. I decline to answer, on the grounds that an answer might tend to incriminate me.

The CHAIRMAN. You have the right to decline.

Mr. COHN. Now, is it a fair statement to make that you have received substantial sums of money from the royalties on all of the books you have written?

Mr. HAMMETT. Yes: that is a fair statement.

Mr. COHN. And you decline to tell us whether any of those moneys went to the Communist Party?

Mr. HAMMETT. That is right.

Mr. COHN. Now, Mr. Hammett, is it a fact that you have frequently allowed the use of your name as sponsor and member of governing bodies of Communist-front organizations?

Mr. HAMMETT. I decline to answer, on the ground that an answer might tend to incriminate me.

Mr. COHN. Mr. Hammett, is it a fact that you recently served a term in prison for contempt of court?

Mr. HAMMETT. Yes.

Mr. COHN. And from what did that arise?

Mr. HAMMETT. From declining to answer whether or not I was a trustee of the bail bond fund of the Civil Rights Congress.

The CHAIRMAN. May I ask the photographers not to use any flash pictures while the witness is testifying?

Mr. COHN. Now, you said it was for refusal to answer. The fact is: You were a trustee of the bail fund of the Civil Rights Congress. Is that right?

Mr. HAMMETT. That was the question that I went to jail for not answering; yes.

Mr. COHN. Well, let me ask you: Were you a trustee of the bail bond fund of the Civil Rights Congress?

Mr. HAMMETT. I decline to answer on the grounds that an answer might tend to incriminate me.

Mr. COHN. And is it a fact that the Government's allegation was that you were one of the sureties on the bond of four fugitive Communist leaders, that when they disappeared and ran away you were called in to see if you could aid the court in discovering where they were, and that a number of questions were put to you concerning their whereabouts, your activities as a surety, as a trustee of the group that had put up the money for the bail bond, and that you refused to answer?

Mr. HAMMETT. I don't remember. I don't know whether I was asked anything about their whereabouts.

Mr. COHN. Well, I will now ask you: Do you know the whereabouts of any of the fugitive Communist leaders?

Mr. HAMMETT. No; Gus Hall, I read, is in jail.

Mr. COHN. You know Gus Hall has been captured. How about the other three?

Mr. HAMMETT. I don't know.

Mr. COHN. You say you don't know?

Mr. HAMMETT. I don't know.

The CHAIRMAN. You say you do not know where they are at this moment. Did you know where they were at any time while the Government was searching for them?

Mr. HAMMETT. No.

The CHAIRMAN. You did not. Do I understand that you arranged the bail bond for the fugitives?

Mr. HAMMETT. I decline to answer, on the grounds that an answer might tend to incriminate me.

Mr. COHN. Did you contribute any of the money that went toward the bail, which made it possible for these Communist leaders to go free on bail, and later to abscond?

Mr. HAMMETT. I decline to answer, on the grounds that an answer might tend to incriminate me.

The CHAIRMAN. Have you ever engaged in espionage against the United States?

Mr. HAMMETT. No.

The CHAIRMAN. Have you ever engaged in sabotage?

Mr. HAMMETT. No, sir.

The CHAIRMAN. Do you believe that the Communist system is better than the system in use in this country?

Mr. HAMMETT. I can't answer that question, because I really don't know what it means: is the Communist system better than the system used in this country?

The CHAIRMAN. Do you believe that communism as practiced in Russia today is superior to our form of government?

Mr. HAMMETT. Well, regardless of what I thought of communism in Russia today, it is doubtful if, you know, any one sort of thing—one is better for one country, and one is better for the other country. I don't think Russian communism is better for the United States, any more than I would think that some kind of imperialism were better for the United States.

The CHAIRMAN. You seem to distinguish between Russian communism and American communism. While I cannot see any distinction, I will assume there is for the purpose of the questioning. Would you think that American communism would be a good system to adopt in this country?

Mr. HAMMETT. I will have to decline to answer that, on the grounds that an answer might tend to incriminate me. Because, I mean, that can't be answered "yes" or "no."

The CHAIRMAN. You could not answer that "yes" or "no," whether you think communism is superior to our form of government?

Mr. HAMMETT. You see, I don't understand. Theoretical communism is no form of government. You know, there is no government. And I actually don't know, and I couldn't, without—even in the end, I doubt if I could give a definite answer.

The CHAIRMAN. Would you favor the adoption of communism in this country?

Mr. HAMMETT. You mean now?

The CHAIRMAN. Yes.

Mr. HAMMETT. No.

The CHAIRMAN. You would not?

Mr. HAMMETT. For one thing, it would seem to me impractical, if most people didn't want it.

The CHAIRMAN. Did you favor the Communist system when you were writing these books?

Mr. HAMMETT. I decline to answer, on the grounds that an answer might tend to incriminate me.

The CHAIRMAN. Senator McClellan, did you have a question?

Senator McCLELLAN. You are declining to answer many questions, taking refuge in the privileges of the fifth amendment of the Constitution, because you are afraid you might incriminate yourself if you answer the questions. Are you sincere and honest in making that statement under oath?

Mr. HAMMETT. Very sincere, sir. I really am quite afraid that answers will incriminate me, or will tend to incriminate me.

Senator McCLELLAN. Since you say you are afraid: Do you not feel that your refusal to answer is a voluntary act of self-incrimination before the bar of public opinion? Are you not voluntarily, now, by taking refuge in the fifth amendment to the Constitution, committing an act of voluntary self-incrimination before the bar of public opinion, and do you not know that?

Mr. HAMMETT. I do not think that is so, sir, and if it is so, unfortunately, or fortunately for me in those circumstances, the bar of public opinion did not send me to jail for 6 months.

Senator McCLELLAN. Violation of a law sent you to jail; being caught: is that what you mean? Public opinion, as against being caught? Is that what you are trying to tell us?

Mr. HAMMETT. No, sir.

Senator McCLELLAN. I did not want to misunderstand you. I thought maybe public opinion or at least judicial opinion had something to do with your going to jail. That was not a voluntary act, was it?

Mr. HAMMETT. Going to jail?

Senator McCLELLAN. Yes.

Mr. HAMMETT. No, sir.

Senator McCLELLAN. Well, public opinion must have had something to do with it, or judicial opinion at least.

I do not want to misjudge anyone. I do not think the public wants to. We want to give you every opportunity to be fair to the committee, to be fair to yourself, to be true to your country, if you care

anything for this country. And I would like to ask you this question: Would this committee and the public in general be in error if they judged from your answers, or rather your lack of answers, to important questions, and from your demeanor on the witness stand here, that you are now a Communist, that you have been a Communist, and that you still follow and subscribe to the Communist philosophy? Would we be in error if we judged you that way from your actions?

Mr. HAMMETT. I decline to answer that question, because the answer might tend to incriminate me.

Senator McCLELLAN. Then we are free to judge according to our observations and conclusions based on your refusal to answer and your demeanor on the stand.

Mr. HAMMETT. Is that a question, sir?

Senator McCLELLAN. Well, if you want to answer it, it is a question. Do you want to take refuge under the Constitution again?

Mr. HAMMETT. Yes, sir.

Senator McCLELLAN. All right. That is all.

The CHAIRMAN. For your information, in case you do not know it, Mr. Budenz, the former editor of the Communist Daily Worker, gave you as one of those used by the Communist Party to further the Communist cause, and gave your name as a Communist under Communist Party discipline, recognized by him as such. If you care to comment on that, you may.

Mr. HAMMETT. No, sir. I have no comment to make.

The CHAIRMAN. I have no further questions.

Mr. COHN. I would like to ask: Is Mr. Budenz being truthful when he told us that you were a Communist?

Mr. HAMMETT. I decline to answer, on the grounds that an answer might tend to incriminate me.

Mr. COHN. When he told us that you were under Communist discipline?

Mr. HAMMETT. I decline to answer, on the same grounds.

The CHAIRMAN. May I ask one further question: Mr. Hammett, if you were spending, as we are, over a hundred million dollars a year on an information program allegedly for the purpose of fighting communism, and if you were in charge of that program to fight communism, would you purchase the works of some 75 Communist authors and distribute their works throughout the world, placing our official stamp of approval upon those works?

Or would you rather not answer that question?

Mr. HAMMETT. Well, I think—of course, I don't know—if I were fighting communism, I don't think I would do it by giving people any books at all.

The CHAIRMAN. From an author, that sounds unusual.

Thank you very much. You are excused.

Mr. COHN. The next witness, Mr. Chairman, is Helen Goldfrank, also known as Helen Kay.

The CHAIRMAN. May I ask: Is she one of the authors used by the old State Department?

Mr. COHN. Yes, under the name of Helen Kay, Helen Goldfrank is the author of children's books, 30 copies of which are in use in the State Department information program.

We don't have the full details on that, Mr. Chairman. We have the number of copies.

Mr. FORD. May I address the committee on the question of television, as it may apply to the witness whom I represent?

The CHAIRMAN. It will not be necessary. If she objects to being televised, I have taken the responsibility to decide that she will not be televised. However, that is not setting a precedent. I have not had the opportunity to have a meeting of the full committee to determine what our practice in the future will be. Until we have that meeting of the committee, none of the witnesses will be required to be televised while they are testifying. The lights will not be turned upon them. The television men have been instructed in a case such as this that they must, under no circumstance, televise the witness. If they do, the committee will endeavor to take contempt action against them.

I know it is unnecessary to make that statement. We have had complete cooperation from you gentlemen. But I want to make it clear that the witness will not, under any circumstance, be televised while on the witness stand.

Mr. FORD. May that apply to the other cameras, Senator?

The CHAIRMAN. If that is her desire, she will not be photographed, from the time she comes up to the stand until she leaves. I have no authority over the photographers before and after she testifies.

May I say this to the cameramen: If this witness does not want to be photographed, she will not be photographed at any time while she is under the control of the committee, that is, while she is being sworn, while she is testifying.

Senator McCLELLAN. Mr. Chairman, I think one further observation should be made to clarify that.

The CHAIRMAN. I am saying this, you understand, subject to approval.

Senator McCLELLAN. I understand. But you say, "while she is under the control of the committee." I think the committee is in control at all times. I do not think the photographers should have authority to make pictures in this room, under the ruling you are making. We do have control of this room.

Mr. FORD. We believe you also have control of the corridors, so that if anybody commits any offense out there, they are in contempt of this committee, so long as the witnesses are under subpoena.

Senator McCLELLAN. I would not want to go that far, but I think in this room we have jurisdiction, and the committee should take its responsibility and exercise it one way or the other.

The CHAIRMAN. I do not think we could try to control the cameramen in the corridors, because the corridors are public. I realize that when she is subpoenaed she must come through the corridors to appear here, and there is some merit to your suggestion that they should be ordered not to photograph in the corridors, but I am afraid the committee would be going beyond its jurisdiction.

Will the television people understand that the witness will not be televised or photographed while she is in the committee room?

CAMERAMAN. We can photograph you, Mr. Chairman, while she is testifying?

The CHAIRMAN. You can photograph anybody else, I believe.

What is the wish of counsel in that respect?

Mr. FORD. Counsel has no objection.

The CHAIRMAN. And there will be no photographing of hands, you understand.

I believe you were put under oath previously, in executive session. You are reminded that your oath is still in effect.

Mr. COHN. Would you give us your name, please?

**TESTIMONY OF HELEN GOLDFRANK, ACCOMPANIED BY HER
COUNSEL, CHARLES E. FORD**

Mrs. GOLDFRANK. Helen Goldfrank.

Mr. COHN. Would you talk a little louder, please ma'am, so that we can hear you?

Mrs. GOLDFRANK. Helen Goldfrank.

Mr. COHN. Have you written children's books which are now——
First, can we get the name and address of counsel for the record?

Mr. FORD. Charles E. Ford, 416 Fifth Street NW., Washington, D. C.

The CHAIRMAN. Mr. Ford, I assume you are fully aware of the committee rules. That is, that you may consult with your client at any time you care to. If, at any time, a situation arises in which you want a private consultation, we will arrange a room for that. We do not allow counsel to take part in the proceedings, other than to freely consult with his client. And may I say that yesterday we had the experience of counsel having a very confidential consultation with his client with his mouth so close to the microphone that quite a few million people heard that confidential advice.

Mr. FORD. I shall obey that.

Mr. COHN. Now, Mrs. Goldfrank, where do you reside?

Mrs. GOLDFRANK. Thornwood, N. Y.

Mr. COHN. Will you talk a little louder, please?

Mrs. GOLDFRANK. Thornwood, N. Y.

Mr. COHN. Now, Mrs. Goldfrank, under the name of Helen Kay, K-a-y, are you the author of various children's books being used in the State Department information program?

Mrs. GOLDFRANK. I decline to answer that question, most respectfully, on the basis of personal privilege under the fifth amendment of the Constitution, as the answer to that question may tend to incriminate me.

The CHAIRMAN. I assume you are referring to that part of the question which asked you whether you have written under the pseudonym of Helen Kay. Is that correct? You do not claim it would tend to incriminate you if the State Department used your books? I am referring to the old State Department; not the new one.

Mrs. GOLDFRANK. Any explanation would relieve me of my right of personal privilege, and I respectfully and proudly stand on that right of personal privilege, Senator.

The CHAIRMAN. If you feel that an answer would tend to incriminate you, you have the right to refuse.

Mr. COHN. You say you "proudly" stand on that right?

Mrs. GOLDFRANK. Yes.

Mr. COHN. Now, proudly standing on that right, may I ask you this question: Have you ever engaged in espionage against the United States.

Mrs. GOLDFRANK. No; I have never engaged in espionage against the United States.

Mr. COHN. Were you asked that question in executive session before this committee the day before yesterday?

Mrs. GOLDFRANK. I can't remember.

Mr. COHN. Were you a representative of the Communist International at any time?

Mrs. GOLDFRANK. I stand on my right of personal privilege and refuse to answer that question on my right under the fifth amendment to the Constitution, because the answer to that question may tend to incriminate me.

The CHAIRMAN. May I ask you this question. Counsel asked you whether you were ever engaged in espionage against this country. Did you ever engage in sabotage against this country?

Mrs. GOLDFRANK. No; I never engaged in sabotage against this country.

The CHAIRMAN. Did you ever work with anyone who you knew engaged in either espionage or sabotage against this country?

Mrs. GOLDFRANK. May I consult with my counsel for 1 second?

The CHAIRMAN. Certainly. You may consult with your attorney at any time.

(Mrs. Goldfrank confers with Mr. Ford.)

Mrs. GOLDFRANK. No, sir; to the best of my knowledge, I have not worked with anyone who was engaged in sabotage or believed in it.

The CHAIRMAN. Proceed, Mr. Counsel.

Mr. COHN. Now, is it not a fact, Mrs. Goldfrank, that you carried sums of money in behalf of the Communist International from Moscow to the German Communist Party?

Mrs. GOLDFRANK. Proudly, once again, I call upon the fifth amendment, on the basis of personal privilege, to refuse to testify on the grounds that the answer to that question may tend to incriminate me.

The CHAIRMAN. Did you ever attend the Lenin School in Moscow?

Mrs. GOLDFRANK. May I consult?

The CHAIRMAN. You may consult, certainly.

(Mrs. Goldfrank consults with Mr. Ford.)

Mrs. GOLDFRANK. I will continue to stand on my rights, on the grounds that the answer to that question may tend to incriminate me.

The CHAIRMAN. In other words, your position is that a truthful answer to the question of whether or not you attended the Lenin School, sometimes referred to as the Lenin School for Espionage and Sabotage, might tend to incriminate you? Is that your position?

Mrs. GOLDFRANK. Once again, I stand on my right and use my personal privilege to refuse to answer the question. In defining the reasons, I would abrogate that personal privilege, and I refuse to answer.

The CHAIRMAN. Will you tell us the schools you did attend in Moscow, or Russia? Or is the answer the same?

Mrs. GOLDFRANK. My answer will continue to be the same.

The CHAIRMAN. Now, do you believe in the overthrow by force and violence of the Government of the United States?

I may say you may consult freely, at any time you want.

Mrs. GOLDFRANK. I do not believe in the forceful overthrow of the United States Government by force and violence.

The CHAIRMAN. Do you believe that communism, as it is found in Russia today, is superior to our system in this country?

Do you have some difficulty answering that?

Mrs. GOLDFRANK. No, sir. But, after all, I am the one that will take the consequences of my answers, sir.

The CHAIRMAN. Well, all we want is a truthful answer, or, if you think that the answer will incriminate you, you can refuse to answer.

Mrs. GOLDFRANK. Excuse me, Senator, I didn't mean to interrupt you.

I am proud to be an American. I am proud of the Constitution. I continue to stand on the Constitution, on my rights of personal privilege under the fifth amendment and every other amendment in our lovely Constitution.

The CHAIRMAN. Do I understand you refuse to answer that last question? The question is, Whether you consider that communism as found in Russia today is superior to our system. You refuse to answer that on the ground that your answer might tend to incriminate you?

Mrs. GOLDFRANK. I believe I made my answer.

The CHAIRMAN. You are refusing to answer that?

Mrs. GOLDFRANK. May I consult my attorney?

The CHAIRMAN. Certainly.

(Mrs. Goldfrank confers with Mr. Ford.)

Mrs. GOLDFRANK. I believe in a democratic America. And further than that, I refuse to answer.

The CHAIRMAN. Speak a little louder, if you please.

Mrs. GOLDFRANK. I say I believe in a democratic America. Further than that, on any other phase of the question, I refuse to answer, on the basis of possible self-incrimination.

The CHAIRMAN. The fact that you say you believe in a democratic America does not mean much, because the Communists claim that their form of democracy is better than our Republic.

The question again is, and I am not going to order you to answer, and you have a right to refuse to answer if you think the answer may incriminate you—it is a very simple question, and I think in view of the fact that you are writing books that go into our information library, to be purchased by taxpayers' money, it is a very important question to the general public. The question is, Do you feel that communism, as found in Russia today, is superior to our system in this country?

Mrs. GOLDFRANK. I believe the political system of democracy is the highest form of a government guaranteeing civil rights and civil liberties for the American people.

The CHAIRMAN. I will order you to answer the question asked, unless you take the position that the answer might tend to incriminate you. It is a very simple question. You being one of the writers being used by the old State Department, we are entitled to inquire whether you felt that that system should be imposed upon this country. Your books allegedly were being used to fight communism. That is what the general public felt when they paid over a \$100 million a year into this information program. And they are entitled to know how you feel, unless you say that a truthful answer might incriminate you.

Mrs. GOLDFRANK. Sir, it isn't a truthful answer that may tend to incriminate; it is the answer, that may tend to incriminate.

The CHAIRMAN. Well, you are not entitled to the privilege if you think you would incriminate yourself by committing perjury. That

privilege you do not have. The only privilege you have is to refuse if you feel that a truthful answer would tend to incriminate you.

Mrs. GOLDFRANK. I think you misconstrue the emphasis. I am seeking to stand on the amendment, not on the basis of whether my answer is "Yes" or "No," but on the basis of my right, that it may tend to incriminate me, within your view, you see. You may look at something a little differently than I.

The CHAIRMAN. You are refusing to answer that question?

Mrs. GOLDFRANK. Yes, sir.

The CHAIRMAN. You have that privilege.

Senator McClellan?

Senator McCLELLAN. Mr. Chairman, I want to ask one or two questions. I did not quite understand you, regarding whether a truthful answer might tend to incriminate you, or, if you told us something, gave us an answer, that was not true, that it might tend to incriminate you.

Now, which position do you take? That if you give a truthful answer to these questions it would tend to incriminate you?

Mrs. GOLDFRANK. Sir, I am sworn to tell the truth.

Senator McCLELLAN. You are. And that is what I am trying to determine.

Mrs. GOLDFRANK. Well, I am telling the truth.

Senator McCLELLAN. Therefore, do you say that if you give a truthful answer to these questions, you honestly believe it would tend to incriminate you?

Mrs. GOLDFRANK. I stand on the——

Senator McCLELLAN. I did not ask you what you stand on.

Mrs. GOLDFRANK. I am answering the question in that way, sir.

Senator McCLELLAN. All right. Answer it in that way.

Mrs. GOLDFRANK. I am giving a truthful answer to the questions that I have answered. On the questions that I have not answered, I truthfully stand on my right of personal privilege, under the fifth amendment to the Constitution, and refuse to answer, on the basis that it may tend to incriminate me. I didn't say it would incriminate me. It may tend to.

Senator McCLELLAN. Do you say that a truthful answer may tend to incriminate you? I think that is the test. I do not think you have a right to come in here and take refuge under the Constitution to commit perjury. But do you say that if you give a truthful answer you feel the answer might tend to incriminate you?

Mrs. GOLDFRANK. I am giving a truthful answer, and I once again stand on the right of personal privilege. All my answers, sir, are truthful.

Senator McCLELLAN. Well, in answering, in saying that you feel it might tend to incriminate you, you are telling us the truth. You sincerely believe that. That is all I am asking.

Mrs. GOLDFRANK. I am telling the truth. I sincerely believe that, sir.

Senator McCLELLAN. Now, I think if you are, I want to determine as to whether you were sincere. That is all. You have no right to come in here and deceive the committee. You have a perfect right to stand on the fifth amendment if you wish to do it, if you are sincere in that statement. And since you say you are sincere——

Mrs. GOLDFRANK. Most respectfully, sir.

Senator McCLELLAN. And you believe that if you answered these questions truthfully they would tend to incriminate you, I may say that I wholly agree with you. I think you know that. And I think all rational minds will agree with you.

The CHAIRMAN. Have you ever acted as a spy for a foreign country?

Mrs. GOLDFRANK. I refuse to answer that question, on the basis of personal privilege under the fifth amendment to the Constitution.

The CHAIRMAN. Did you ever contribute money to the Communist Party?

Mrs. GOLDFRANK. I refuse to answer that question on the basis of personal privilege; that that answer may tend to incriminate me.

The CHAIRMAN. Was your husband a member of the national committee of the Communist Party?

Mrs. GOLDFRANK. I refuse to answer that question on two grounds; the first being my right of personal privilege under the fifth amendment; the second being the basic foundation of our society, the protection of the home and family, the father of my children, and considering any information regarding my husband a question of privileged correspondence.

The CHAIRMAN. You have the right to refuse on both those grounds. Incidentally, is your client a lawyer, Mr. Ford?

Mr. FORD. No, sir.

Mrs. GOLDFRANK. I am a mother of three children.

The CHAIRMAN. Let me ask you one more question. You, of course, have received money as a result of these books that have been purchased by our information program. Was any of that money contributed to the Communist Party?

Mrs. GOLDFRANK. May I consult?

The CHAIRMAN. You may consult at any time.

(Mrs. Goldfrank confers with Mr. Ford.)

Mrs. GOLDFRANK. I beg personal privilege under the fifth amendment.

The CHAIRMAN. Any further questions?

Mr. COHN. Mrs. Goldfrank, did you appear before a Federal grand jury in New York within the last year?

Mrs. GOLDFRANK. Mr. Cohn, I beg the right of personal privilege, and refuse to answer that question, on my rights under the fifth amendment, on the basis that any answer I may give may tend to incriminate me.

Mr. COHN. If you tell us whether you appeared before a Federal grand jury, you think that that answer might tend to incriminate you?

Mrs. GOLDFRANK. Yes, sir, Mr. Cohn.

The CHAIRMAN. I do not believe the witness has any privilege in regard to that matter. Of course, it is a matter of public record; so, I assume it is a moot question. Normally I would order the witness to answer the question, but it is a fact she appeared?

Mr. COHN. It is a fact, Mr. Chairman. The docket entries in the United States District Court for the Southern District of New York will so indicate.

Have you ever been known by any other name other than that of Helen Goldfrank?

Mrs. GOLDFRANK. Once again, Mr. Cohn, I seek the right of personal privilege. I refuse to answer that question, on the basis that any answer I may give may tend to incriminate me.

Mr. COHN. Have you ever been known by the name of Helen Kolodny, K-o-l-o-d-n-y?

Mrs. GOLDFRANK. Once again, I refuse to answer that question, on the basis of special personal privilege under the fifth amendment to the Constitution.

Mr. COHN. Were you ever in Moscow?

Mrs. GOLDFRANK. I refuse to answer, on the basis of personal privilege, because the answer I may give may tend to incriminate me.

The CHAIRMAN. One other question. I assume you will refuse to answer this; but, just to have the record clear: Is it a fact that, as a representative of the Communist International, you carried a sizable sum of money from Moscow to the German Communist Party?

Mrs. GOLDFRANK. I refuse to answer, Senator McCarthy, on the basis that any answer I may give may tend to incriminate me.

The CHAIRMAN. Do you have anything further, Mr. Cohn?

Mr. COHN. I have no further questions.

Senator McCLELLAN. Mr. Chairman, I just want to say to the witness that she has definitely convinced me that, if she gave truthful answers to the questions asked, she would incriminate herself.

The CHAIRMAN. You may step down.

The photographers are warned there will be no pictures.

Mr. FORD. Senator, are we finally excused?

The CHAIRMAN. Yes.

You do not want this witness interrogated further?

Mr. COHN. No; I have nothing further of this witness.

We have tried to be in touch with some witnesses, and I think we can have a session at tomorrow morning if that is agreeable to the Chair.

The CHAIRMAN. Senator McClellan, I would like to get your thought on this. We have some 75 Communist authors whose works were published by the old State Department. I doubt whether anything would be gained by bringing all of them in. I think we can bring a representative group in, so that we can get a general picture of the type of individuals whose works are being used. I do think that the next important thing in this is to try and pin down the responsibility and find out who personally selected these books.

We will recess until 10:30 tomorrow morning, with a possible executive session this afternoon.

(Whereupon, at 11:59 a. m., Thursday, March 26, 1953, a recess was taken until Friday, March 27, 1953, at 10:30 a. m.)

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